

Housing cases during Covid-19

National guidance

Pursuant to PD51Z all possession proceedings brought under CPR 55 are stayed for a period of 90 days commencing 27 March 2020. This does not include applications for injunctive relief.

Following the Civil Court Listing Priorities published on 01 April 2020, a number of areas of Housing law are considered to be priority 1 work:

- Committals
- Injunctions (focussing on those with a noise element or interference with property)
- ASB/harassment injunctions which are not ancillary to possession claims
- Applications to stay enforcement of existing possession claims
- Productions of persons in custody following power of arrest detentions
- Homelessness applications
- Appeals in the above

North and West Yorkshire

Injunctions and committals will still be heard whether following arrest or otherwise, with interim hearings re-listed as of 07 April 2020. Parties will be given the option of conducting the hearings remotely, whilst in exceptional circumstances committals may be conducted in a large courtroom in Leeds following all social distancing guidance.

With all possession claims suspended (see above) the block lists have been vacated in their entirety. The court will continue to hear applications to suspend all types of enforcement proceedings, which will be conducted remotely wherever possible.

South Yorkshire (Sheffield, Barnsley and Doncaster)

Judges will now consider the conduct of hearings by any remote means, including the use of BT telephone conference, BT MeetMe conferencing and Skype for Business.

All possession proceedings and evictions have been either adjourned or suspended as appropriate.

Northumbria (Durham and Teesside)

All small claim and fast track trials listed until 09 April 2020 have been vacated, with individual re-listing orders to be sent out in due course.

All possession proceedings relating to residential property listed until 19 June 2020 have been vacated, to be re-listed on the first available date after 19 June 2020. Any newly-issued possession claims are automatically stayed until 19 June 2020. However, should exceptional circumstances exist, a party is entitled to apply to the court for an individual hearing to proceed.

Applications for injunctions and committals will be prioritised and heard, wherever possible, remotely. Upon application, personal service of urgent civil injunctions will be dispensed

with. Orders for substituted service by delivery through the letter box of the last known address, by text and/or by any other form of electronic communication will usually be made. Committals will require personal attendance at court, and specific directions will be provided in these cases.

Humberside

All small claim and fast track trials up to 17 April 2020 have been vacated, with orders sent out to parties asking them to liaise to clarify or narrow the issues. Upon receipt of information from the parties the court will either re-list the trial after 17 April 2020 or make alternative directions.

All applications for possession or warrants are suspended until 25 June 2020, but does not apply to injunction proceedings. Any applications for injunctions will be prioritised and heard urgently and will, wherever possible, be listed via telephone.

Upon application any committal, which necessarily requires personal attendance, will be dealt with via specific directions.

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