

## **INFORMATION ABOUT THE COURT PROCESS**

If you have been served with a Notice of Seeking Possession for arrears of rent and your rent arrears have not decreased significantly, your case will be entered into the County Court, where the Society will apply for possession of your home.

This note gives you some basic advice of what you can expect at the Court hearing. It is important for you to be aware that the Court could give the Society permission to evict you and, as such, we strongly advise you to get legal advice before the hearing and, if possible, to ensure you have legal representation at the hearing.

The Court will write to you giving you the date and time of the hearing. You should attend the hearing to explain to the judge the reason for the arrears and your proposals for repaying the debt.

Please arrive at the Court at least 15-20 minutes ahead of the scheduled time of the hearing. When you arrive, please go to the usher's desk and tell the usher who you are. A representative from Granta Housing Society will also be at Court and will be available to speak with you (and your representative if you have one) before the hearing. You are strongly advised to come to a suitable arrangement for repayment of the arrears (if you have not already done so).

The hearing will be held in private (not open Court) and the only people present will be you (and your representative if you have one), the judge, your Housing Officer and a Court official. You address the Judge as "Sir" or "Ma'am", not as "your honour", "Judge" or "your excellence".

The Judge will ask your Housing Officer to present the case, highlighting the amount of arrears as at that date and any agreements made with you to repay the debt. The Judge will also ask what type of possession order we are seeking. If we have come to an agreement about repaying the debt, the Judge will ask if you are happy with the agreement and if you say yes and the Judge thinks an order is reasonable, a conditional possession order will be granted. This means that we will have a possession order on your home, but it will be suspended providing you pay the current rent PLUS the extra amount agreed off the arrears each week. If you then keep to the agreement you made, we will not be able to evict you.

In some circumstances, we will ask the Judge to grant us an outright possession order, which means we can then evict you. Some examples of when we may do this are if you are not living at the property, if you have persistently not paid your rent, or if there are other grounds for possession (such as anti-social behaviour). An outright possession order means that we will be able to apply for your eviction, usually 28 days after the Court hearing.

Once the Judge makes his/her decision, the case ends. The Court will then write to you to confirm the details of the decision and you will also receive a letter from Granta Housing Society, with details.