

## Eviction from a social tenancy

This information is for Housing Executive and housing association tenants, also called social tenants.

Social landlords (meaning, the Housing Executive and housing associations) must try to fix a problem before evicting you. They must follow a process (sometimes called the 'pre action protocol') depending on if you've been a tenant for:

- more than one year (called a 'secure social tenant')
- less than one year (called an 'introductory tenant')

### Secure tenants

[Speak to our advisers](#) if you get a notice seeking possession from your social landlord. They can help you try to work things out and find ways to keep you in your home.

Social tenants who lived in social housing for one year or more are called secure tenants.

If you're a secure tenant, your landlord needs a reason to evict you. For example, if you:

- owe them rent
- have not kept up with a payment plan
- get complaints about your behaviour
- damaged or neglected your property
- lied on your housing application
- abandoned your tenancy

Social landlords can move you to another property if:

- they're redeveloping your home or neighbourhood
- your home is adapted for a disability but no one in your household needs it

## **Working things out before evicting a secure tenant**

Your landlord should try and help you to work things out. This includes:

- encouraging you to get money and debt advice
- helping you work out and [manage a budget](#)
- working out a payment plan

Before taking action to evict you for [antisocial behaviour](#), your social landlord should:

- look into the complaints against you
- use antisocial behaviour policies to work out the problem

Your landlord should contact social services before starting an eviction if there are:

- children in your household
- vulnerable adults in your household

## **Notice seeking possession for a secure tenant**

First, your landlord must write to say they want to evict you and give you 28 days to leave. This is called a 'notice seeking possession.'

If you do not leave within 28 days, your landlord must ask the county court for a hearing within 12 months of when you got the notice. If you were accused of antisocial behaviour, they do not need to wait the full 28 days.

## **Eviction court date for a secure tenant**

Your landlord or their solicitor will send you a legal document called a Civil Bill. This is to tell you they'll apply for a court order. You have 21 days to respond. After 21 days, the landlord can ask for a court hearing.

## **Eviction hearing for a secure tenant**

You'll get a notice with a court date and location. Hearings can be online or in-person at the county court. If you need help, you can ask if there is someone from Housing Rights there on the day to represent you.

Make sure to show up early or be online by the time listed on your notice. The clerk will call your case as '[your landlord's name] versus [your name].' For example, 'Northern Ireland Housing Executive versus Jane Smith.'

The judge will explain the process to you. Your landlord's solicitor or housing officer speaks first. Then, the judge will ask you some questions. You or your solicitor can explain:

- reasons you broke your agreement
- changes in your situation that mean you will not do it again (for example, getting a new job)
- difficulties you, or someone in your household, would face if you had to leave

[Speak to our advisers](#) for help going to court. They may be able to represent you for free.

## **Decisions for secure tenant evictions**

At the hearing, the judge will review your information and speak to you and your landlord. If they order you to leave, you will get a Possession Order. The judge can order you to leave if:

- your landlord followed the proper process
- you broke your tenancy agreement
- they think it's reasonable to evict you

The judge can also decide to:

- strike out the case
- postpone the case to a later date (for example, to help you get advice or more information)
- let you stay if you keep to certain conditions (called a 'Stayed Possession Order')

Get advice before you make an agreement with the court. Make sure you understand the conditions of staying in your home. It will help you make sure you can stick to them.

## **Enforcing an eviction for secure tenants**

If your landlord moves forward with evicting you, they apply to the Enforcement Judgments Office (EJO). This is the office in charge of managing the eviction.

Up until your eviction date, you can still [speak to our advisers](#) and work on finding a way to stay in your home.

## **Introductory tenants**

Tenants who lived in social housing for less than a year are called 'introductory tenants.' During this time, you're in a trial period for your tenancy and have fewer rights than secure tenants.

### **Reasons for evicting introductory tenants**

Your social landlord usually still needs a reason to evict you. For example, if you:

- break your agreement
- do not pay your rent
- caused [antisocial behaviour](#)

### **Giving notice for an introductory social tenant**

Your landlord must give you a notice with information including:

- why they want to end your tenancy
- your right to ask for a review
- when the review will happen and when you can expect a result
- any court date must be at least 28 days after you receive the notice
- where you can go for help and advice

You have 14 days to tell your landlord if you want a review. If you do not ask for a review within that time, your landlord will go to court to evict you.

### **Eviction review for an introductory social tenant**

If your landlord agrees to review your case, you'll either:

- meet in-person with your landlord to talk things through, explain your side of things and answer any questions (you can ask someone to speak for you, [our](#)

[advisers may be able to help](#))

- have your landlord review your file, you can send additional statements and documents to support your case

After the review, your landlord can decide to:

- move ahead with ending your tenancy
- let you continue your introductory tenancy

## **Eviction hearing for an introductory social tenant**

The judge usually lets your landlord evict you when they follow the proper process. This includes giving you:

- a notice at least 28 days before they filed the paperwork for court
- an opportunity for a review

The court can only stop the eviction if it decides your landlord's actions are disproportionate.

## **More advice**

- [Illegal eviction and harassment](#)
- [Kicked out of your home](#)
- [Abandonment of a social tenancy](#)

## **Footnotes**