

Losing the home you own

This information is for homeowners in Northern Ireland.

If the court decides to take away, or 'repossess', your home it will issue a possession order.

Even if the court has already issued a possession order, it might still be possible to work with your lender.

You can still try to reach an agreement to repay the debt. This means you might be able to stay in your home.

It is best to seek advice as early as possible if you think you might lose your home.

[Our advisers can help](#) you through this process.

It can become harder to work things out with the lender if you let time pass and don't do anything.

If you lose your home to repossession, this can also mean it is more difficult to get a new home.

Your lender can ask the [Enforcement of Judgements Office \(EJO\)](#) to force you to leave your home. This doesn't happen until after a court issues a possession order. You'll need to pay the legal fees for this.

Four stages of the enforcement process

Stage one: you get the ‘Notice of Intention to Enforce’

You have 10 days to object after you get this notice. You can only object on a point of law. For example, the paperwork had the wrong address and is not a valid notice.

Stage two: lender applies for a ‘Notice of Intention to make an Order for Possession of Land’

You have eight days to object after the order is granted. You can only object on a point of law. To object, you must [write to the EJO](#). An EJO Master hears this objection.

Stage three: lender moves to enforcement

In the enforcement stage, the EJO will:

- serve an ‘Order for Delivery of Possession of Land’ – you can still object at this point
- come to check that you know you’re in the enforcement stage
- give you an ‘on or before date’ – this is the date they’ll come to remove you and your belongings

Stage four: day of eviction

The EJO is allowed to physically remove you and your belongings from the property. They will do this if you are still in your home on the eviction date.

You’ll need to pay for the costs for removal, storage and EJO fees. Your lender will pay and add the amount to your debt.

The EJO will store your belongings for 28 days. If you do not pay to get them within 28 days, they will be auctioned to cover the EJO’s fees.

The Housing Executive must help you if you [passed the homelessness assessment](#).

[Get advice](#) on what help you might be able to get.

Selling your home

After your home is repossessed, the lender usually sells it to pay off your debts. They'll want to try and get the best price for your home. Getting the best price will reduce how much you owe to the lender. Up until you are evicted, you can also try to sell the home yourself.

You must pay any fees related to selling your home.

Giving back the keys

You can give your lender the keys to your home if you do not want to fight the repossession in court. [Get advice](#) before you decide to do this. It might not be your best option.

You can't go back to live in your home once you give the keys to the lender.

Until your lender sells the property you're responsible for paying:

- your mortgage and any secured loans
- service charges and ground rent
- insurance
- rates

Changes to your benefits when you hand back the keys

The amount of equity in your property can reduce your benefits once you move out. Equity is the difference between the value of the property and what you owe on it.

Benefits can [ignore this equity for a fixed amount of time in certain cases](#).

Lender sells the property

Your lender should try for the best price they can reasonably get. But the lender may sell your home at an auction.

The home will usually sell for less at auction than it would if you sold it yourself.

Money from the sale of your home

The lender will use the money they get from the sale to clear your debt. This includes:

- the lender's legal costs
- the amount you owe on your mortgage
- auctioneer or estate agent fees for selling your home
- bills for any repairs or maintenance they did on the home

Any money left over once your lender clears your mortgage debt can go towards:

- any rates debt you have
- other loans tied to the property
- any loans you got from benefits to help with your mortgage

You can keep any money left after these debts are paid.

Sale price does not cover your debt

The selling price might not cover all your debts. The lender can take you to court for any extra money you owe after the sale.

This depends on whether the court issued a 'money judgement'. A money judgement is when the Master orders you to pay a certain amount of money. This happens along with the possession order.

If the court made a money judgement, there is no time limit for when the lender or insurer can start legal action.

If the court did not make a money judgement, your lender or insurer must start legal action within 12 years. Usually, lenders or insurers will start legal action within six years.

Paying off your debt

Your lender may ask you to continue paying regular amounts to reduce your debt.

Lenders can write off mortgage debt. They will usually only do this if it seems unlikely that you'll be able to pay the money back in the future.

Sometimes a home can be repossessed and sold, but the money from the sale is not enough pay back everything you owe.

If this happens, you must still pay everything you owe to your lender. If you have a mortgage indemnity insurer, they may pay some or all of what you owe to the lender.

This does not cancel the debt. You just owe the money to the insurer instead.

[Get advice from Housing Rights](#) if your home is worth less than you owe on it.

Finding a new place to stay

If you need to find a new home, you can:

- **contact the Housing Executive** – they can tell you your options. This can include [emergency housing](#) or renting from a social landlord. [Get advice](#) on what help the Housing Executive should give you.
- **find a private rental** – it might be an option to look at [private rentals](#). Be aware that sometimes landlords might check your credit rating. Your house being repossessed will affect your credit rating
- **buy another home** – if you can get another mortgage, you might have to pay a higher deposit or interest rate. You might also be able to [buy a home through co-ownership](#).

Understand your credit rating

It can be hard to rent or buy a new home if your home was repossessed or you have debt problems.

Lenders and landlords often check your credit history. They can also check the 'possessions register'. This has information about repossessions from the past six years.

You can [check your credit score for free online](#). Make sure your information is correct.

More advice

- [Managing your mortgage and income](#)
- [Sorting out mortgage problems](#)
- [Taken to court by your mortgage lender](#)