



Landlords Legal Protection Covid-19 Information

As you will know, the Covid-19 pandemic has led to the Government introducing emergency legislation known as the Coronavirus Act 2020 to help the country cope with the demands caused by the Coronavirus outbreak. The Act contains specific provisions in relation to evictions and private tenancies in England & Wales.

From 26th March 2020 the Government introduced into law a measure whereby the minimum period of time that needs to be given to Tenants to end residential tenancies is extended from two weeks (under s8 – rent arrears) and two months (under s21 – no fault repossession), to three months. The legislation advises that this extension will apply to evictions until the end of September 2020, but this period can be extended further by the Government if required.

In addition, on 27th March 2020 the Court Service made the decision that all ongoing housing possession proceedings, for both new and ongoing claims, will be suspended. This is initially in place for 90 days but can be extended if needed. As a result, even though Landlords can still issue eviction notices to their tenants, they will not be able to apply to the court to start possession action until both the three month notice expires, and when the court ends its suspension on proceedings. The Ministry of Housing, Communities and Local Government have issued guidance strongly advising Landlords not to issue new notices seeking possession during this time without a very good reason to do so.

When the court suspension is lifted, our legal expense insurers will be happy to consider your claim for eviction under the CIA Landlord Protection Policy; subject of course to the terms of the policy and prospects of success, which will include consideration that the correct notice has been served, and proof that the Landlord has taken reasonable steps to liaise with the tenant in respect of agreeing a rent payment scheme for the outstanding arrears.

The Government has during this time urged landlords to continue to communicate with tenants, and in the event of any rent default, to carefully consider whether payment plans can be agreed to ensure that any rent arrears are kept to a minimum. We have attached a template letter which you may wish to consider sending to your Tenant in the event of rent arrears during the Covid-19 situation. The Government have also advised that they have agreed with mortgage lenders to offer payment holidays of up to three months where this is needed due to Coronavirus related hardship, including



Buy to Let mortgages. If you are experiencing problems paying your mortgage then we urge you to contact your lender to discuss this further.

Despite the above, cover under the policy is still valuable to have in these uncertain times. Our 24 hour telephone legal helpline is still available for advice on all areas of law, including advice relating to a dispute with the tenant. In addition, other valuable elements of cover under the policy will continue to be provided (subject to standard terms and conditions) such as legal cover to progress claims for property damage, for nuisance and trespass, for the defence of criminal prosecutions and for contract disputes (please refer to your policy documents which will detail the extent of cover provided by your policy).

We fully appreciate this news will come as a disappointment and that you may wish to discuss the terms of the policy with us. Please note that following Government guidance in respect of the Covid-19 outbreak, we have implemented our remote working system which involves all of our Claims Team, and our Legal Helpline Team, working from home. As a result, call waiting and call-back times might be a little longer than usual and we appreciate your patience in the circumstances. If you have a query relating to the contents of this email, we would encourage you to contact us via email legalprotectiongroup@stephensons.co.uk

Please refer to the government website <https://www.gov.uk/guidance/government-support-available-for-landlords-and-renters-reflecting-the-current-coronavirus-covid-19-outbreak> for further guidance on this and other issues relating to Covid-19.