

rights you currently enjoy under the tenancy. If the court makes a demotion order, this will not mean that you have to leave your home but it will be much easier to evict you in the future.

### **Getting help**

You should get help and advice immediately from a solicitor or an advice agency. This is particularly important whether or not you disagree with the claim since these notes cannot cover every different type of tenancy. You may qualify for assistance from the Community Legal Service Fund (CLSF) to meet some or all of your legal costs. Ask about the CLSF at any county court office or any information or help point which displays this logo. Court staff can only help you complete the defence form and tell you about court procedures.



**They cannot give legal advice.**

### **Replying to the claim**

Although you should normally fill in the defence form and return it to the court within 14 days, the court will accept your defence at any time before, or even at, the hearing. You should note, however, that if you do return the form after the 14-day period, the court may order you to pay any costs caused by the delay.

### **Paying any arrears**

The court cannot accept payments. If you want to pay all or part of any arrears, send them to the claimant at the address for payment shown on the

claim form, quoting the claimant's reference number, if one is given. Make sure you have a receipt for all payments made. Proof may be required if there is any disagreement. Make sure you include on your defence form details of any payments you have made since the claim was issued, saying how much was paid, to whom and when.

### **Enforcement of a possession order**

Where the court makes a possession order, the claimant can ask a bailiff or enforcement officer to evict you if:

- you do not give up possession on the date given in the order for possession; or
- you do not make payments in accordance with the suspended order for possession.

If your circumstances change after a possession order is made, you may apply to the court for the order to be varied. Use application form N244 which is available from any court office. You may have to pay a fee to make the application.

### **Registration of judgments**

If a county court makes a money judgment (e.g. for rent arrears and costs) your name and address will be entered in the Register of County Court Judgments if the claimant has to take steps to enforce the judgment. This may make it difficult for you to obtain credit.