



Ministry of  
**JUSTICE**



# **Statistics on mortgage and landlord possession actions in the county courts – first quarter 2008**

Ministry of Justice  
Statistics bulletin

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## Introduction

This bulletin presents the numbers of mortgage and landlord possession actions in the county courts of England and Wales for the first quarter of 2008.

- The figures report how many possession proceedings have been issued, and how many orders for possession have been made by the county courts.
- Since many of the orders made will not have been enforced these figures do not reflect how many properties have actually been taken into possession.
- Figures on properties actually being taken into possession are published twice a year by the Council of Mortgage Lenders. Further information can also be found on their website ([www.cml.org.uk](http://www.cml.org.uk)).

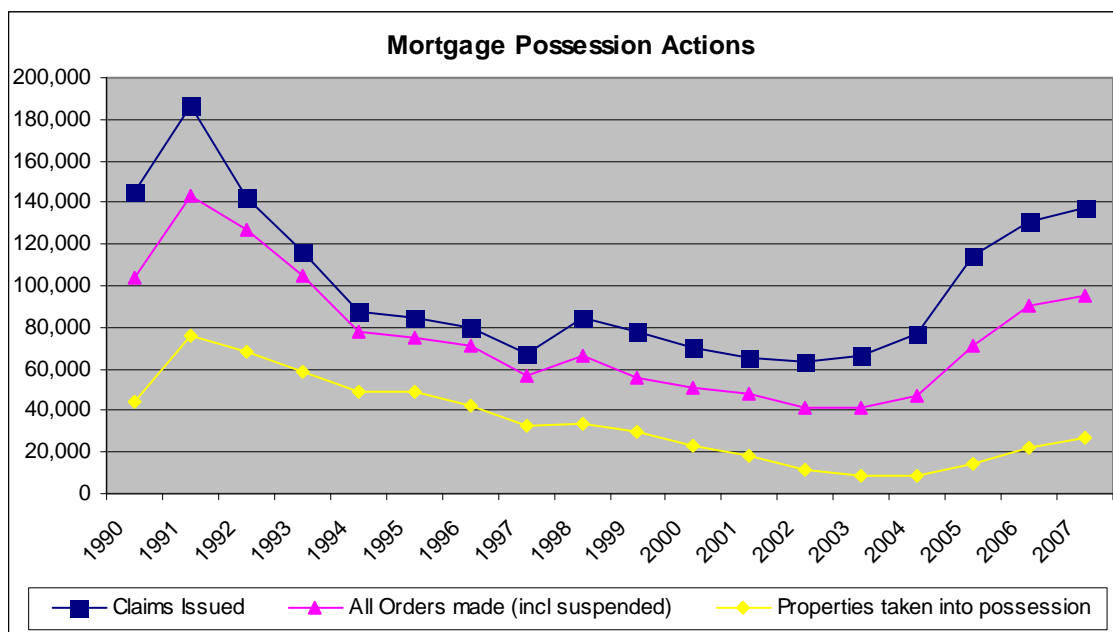
## Findings

### Mortgage possession actions

During the first quarter of 2008:

- 38,688 mortgage possession claims were issued on a seasonally adjusted basis, 16% higher than in the first quarter of 2007 and 7% higher than in the fourth quarter of 2007.
- 27,530 mortgage possession orders were made on a seasonally adjusted basis, 17% higher than in the first quarter of 2007 and 9% higher than in the fourth quarter of 2007.
- 47% of mortgage possession orders were suspended compared to 47% in the first quarter of 2007 and 46% in the fourth quarter of 2007

**Figure 1: Mortgage possession actions - England and Wales, 1990-2007**



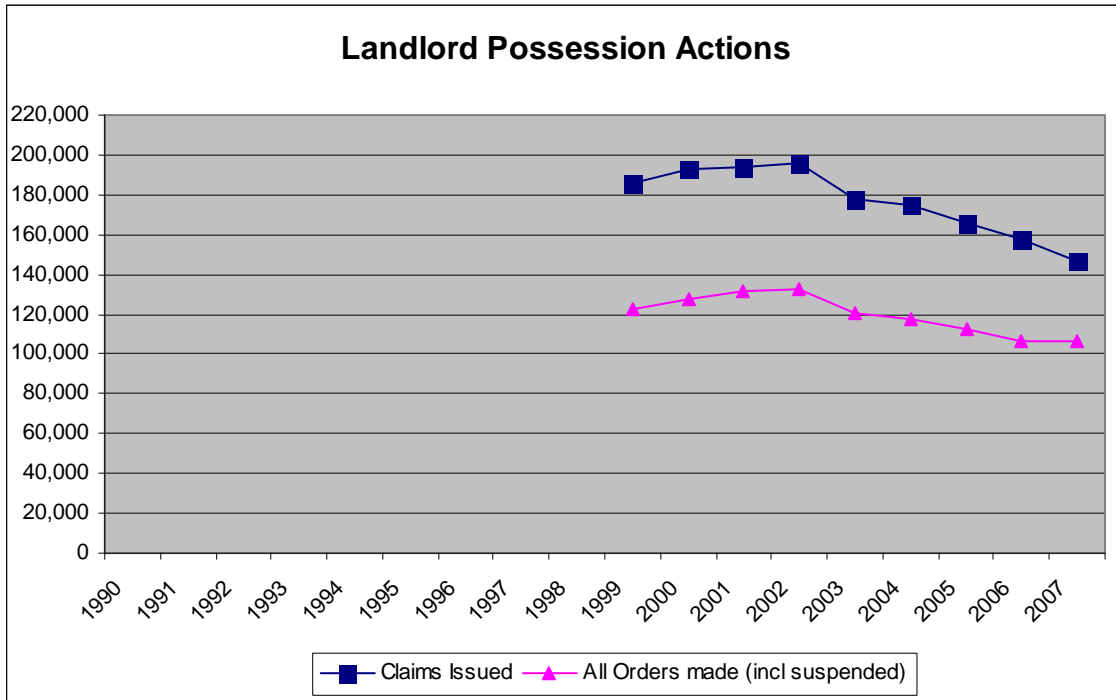
### Landlord possession actions

During the first quarter of 2008:

- 37,221 landlord possession claims were issued using the standard and accelerated possession procedures on a seasonally adjusted basis, 4% higher than in the first quarter of 2007 and the same as the fourth quarter of 2007.
- 28,503 landlord possession orders were made through the standard and accelerated possession procedures on a seasonally adjusted basis, 10% higher than in the first quarter of 2007 and 2% higher than in the fourth quarter of 2007.

- 41% of landlord possession orders made through the standard and accelerated possession procedures were suspended compared to 42% in the first quarter of 2007 and 41% in the fourth quarter of 2007.

**Figure 2: Landlord possession actions – England and Wales, 1999 to 2007**



## Recent developments and statistical revisions

### Introduction of seasonal adjustment

- From the Q4 2007 report onwards, seasonally adjusted figures have been provided in addition to the non-seasonally adjusted figures. Seasonal adjustment is a statistical technique by which changes that are due to seasonal or other calendar influences are removed to produce a clearer picture of the underlying behaviour of the data series. The seasonal adjustment models have been created using X12 ARIMA, the standard tool used for this purpose in government statistics.

The two sets of figures serve distinctly different purposes. In broad terms, the unadjusted figures are the most accurate count of the actual number of possession actions in a given period, while the seasonally-adjusted figures give a better and more meaningful picture of changes over time.

### Adjusting for differential use of Possession Claim On-Line

- In 2007 and 2008, county courts with access to Possession Claim On-Line (PCOL) have been drawing mortgage and landlord possession orders on behalf of other county courts. These data have been excluded from the Department's Management Information System (MIS) from which the figures in this bulletin are sourced. Consequently, upward adjustments have been applied to the numbers of orders made at county courts without access to PCOL to estimate the number of 'missing' orders. The overall effect of these adjustments has been to increase the recorded number of mortgage possession orders by an average of 7% and the recorded number of landlord possession orders (excluding accelerated procedure actions) by an average of 5% for each quarter in 2007 and 2008. The numbers of orders for courts without access to PCOL are provided at regional level in Table 3 rather than at individual court level, as in previous bulletins.

**Table 1a: Mortgage possession actions in the county courts<sup>1\*</sup>**

Year	Quarter	Not Seasonally Adjusted			Seasonally Adjusted	
		Claims Issued	Orders Made <sup>2</sup>	Properties taken into possession <sup>3</sup>	Claims Issued	Orders Made <sup>2</sup>
1990		145,350	103,508	43,890		
1991		186,649	142,905	75,540		
1992		142,162	126,881	68,540		
1993		116,181	105,283	58,540		
1994		87,958	77,681	49,210		
1995		84,170	75,258	49,410		
1996		79,858	71,203	42,560		
1997		67,073	57,156	32,800		
1998		84,836	66,055	33,900		
1999		77,885	55,964	30,000		
2000		70,430	50,918	22,900		
2001		65,862	47,997	18,300		
2002		63,203	41,759	12,000		
2003		65,886	41,038	8,500		
2004		77,250	46,683	8,200		
2005		114,764	70,964	14,600		
2006		131,219(r)	90,680(r)	22,400		
2007		137,607(r)	95,187(r)	27,100		
2002	Q1	17,308	10,932		16,174	11,272
	Q2	14,863	11,417	6,900	14,949	10,527
	Q3	16,065	9,768		16,201	9,578
	Q4	14,967	9,642	5,100	15,718	10,354
2003	Q1	15,777	9,737		14,924	9,478
	Q2	15,997	10,088	4,500	16,035	9,899
	Q3	16,435	10,681		16,579	10,466
	Q4	17,677	10,532	4,000	18,395	11,255
2004	Q1	18,915	11,342		18,086	11,049
	Q2	18,510	11,469	3,700	18,492	11,314
	Q3	19,284	11,944		19,450	11,684
	Q4	20,541	11,928	4,300	21,272	12,688
2005	Q1	25,709	14,075		24,714	14,531
	Q2	28,313	18,365	7,100	28,264	17,192
	Q3	29,871	19,707		30,095	19,253
	Q4	30,871	18,817	7,500	31,963	19,949
2006	Q1	33,246(r)	21,963(r)		31,954	21,344
	Q2	32,989	22,159(r)	10,700	32,981	22,109
	Q3	34,459	24,059(r)		34,664	23,499
	Q4	30,525(r)	22,499(r)	11,700	31,663	23,820
2007	Q1	34,788(r)	24,231(r)		33,344	23,438
	Q2	33,173(r)	23,018(r)	13,600	33,264	23,094
	Q3	34,957(r)	24,104(r)		35,087	23,550
	Q4	34,689(r)	23,834(r)	13,500	36,059	25,200
2008	Q1	40,442(p)	26,930(p)		38,688	27,530

## Notes:

\* Data relating to 1999 onwards are sourced from county court administrative systems and exclude duplicate observations. Data prior to 1999 are sourced from manual counts made by court staff.

1. Includes all actions regardless of the category of lender

2. Includes suspended orders

3. Six monthly figures from the council of Mortgage Lenders (CML). Please see the CML website [www.cml.org.uk](http://www.cml.org.uk) for further information

All period figures denoted by (r) are based on revised data and replace those provided in the last bulletin

All period figures denoted by (p) are based on provisional data

**Table 1b: Landlord possession claims issued in the county courts<sup>1\*</sup>**

Year	Quarter	Not Seasonally Adjusted			Seasonally Adjusted		
		Accelerated Procedure	Standard Procedure	Total	Accelerated Procedure	Standard Procedure	Total
1990			131,017				
1991			119,134				
1992			117,671				
1993			96,497				
1994			83,081				
1995			102,995				
1996			111,807				
1997			130,163				
1998			155,128				
1999		13,908	171,476	185,384			
2000		16,660	176,123	192,783			
2001		17,518	175,901	193,419			
2002		18,096	177,377	195,473			
2003		18,352	159,724	178,076			
2004		20,429	154,186	174,615			
2005		21,078	144,636	165,714			
2006		23,011	135,048(r)	158,059(r)			
2007		24,540(r)	122,278(r)	146,818(r)			
2002	Q1	4,514	46,672	51,186	4,386	43,936	48,322
	Q2	4,608	41,582	46,190	4,468	44,413	48,881
	Q3	4,717	45,203	49,920	4,633	44,646	49,279
	Q4	4,257	43,920	48,177	4,573	44,318	48,891
2003	Q1	4,560	43,947	48,507	4,494	41,489	45,983
	Q2	4,643	36,805	41,448	4,474	39,344	43,818
	Q3	4,618	40,010	44,628	4,563	39,410	43,973
	Q4	4,531	38,962	43,493	4,803	39,290	44,093
2004	Q1	4,947	41,211	46,158	4,939	38,998	43,937
	Q2	5,338	36,717	42,055	5,110	39,263	44,373
	Q3	5,132	38,381	43,513	5,089	37,713	42,802
	Q4	5,012	37,877	42,889	5,272	38,238	43,510
2005	Q1	4,888	36,445	41,333	4,926	34,519	39,445
	Q2	5,619	35,237	40,856	5,359	37,661	43,020
	Q3	5,358	37,109	42,467	5,305	36,405	41,710
	Q4	5,213	35,845	41,058	5,484	36,247	41,731
2006	Q1	5,520	38,234	43,754	5,576	36,233	41,809
	Q2	5,800	32,466(r)	38,266(r)	5,549	34,662	40,211
	Q3	6,127	35,105(r)	41,232(r)	6,011	34,401	40,412
	Q4	5,564	29,243(r)	34,807(r)	5,884	29,636	35,520
2007	Q1	5,924	31,375(r)	37,299(r)	5,992	29,717	35,709
	Q2	6,502	28,741(r)	35,243(r)	6,226	30,668	36,894
	Q3	6,267(r)	31,665(r)	37,932(r)	6,117	31,017	37,134
	Q4	5,847	30,497(r)	36,344(r)	6,211	30,930	37,141
2008	Q1	6,275(p)	32,603(p)	38,878(p)	6,341	30,880	37,221

Notes:

\* Data relating to 1999 onwards are sourced from county court administrative systems and exclude duplicate observations. Data prior to 1999 are sourced from manual counts made by court staff.

1. Includes all actions regardless of the category of landlord

All period figures denoted by (r) are based on revised data and replace those provided in the last bulletin

All period figures denoted by (p) are based on provisional data

**Table:1c Landlord possession orders made in the county courts<sup>1,2\*</sup>**

Year	Quarter	Not Seasonally Adjusted			Seasonally Adjusted		
		Accelerated Procedure	Standard Procedure	Total	Accelerated Procedure	Standard Procedure	Total
1990			112,780				
1991			95,013				
1992			96,958				
1993			82,724				
1994			63,561				
1995			82,599				
1996			87,849				
1997			99,869				
1998			112,236				
1999		11,395	111,067	122,462			
2000		13,254	114,321	127,575			
2001		13,558	117,684	131,242			
2002		13,557	118,598	132,155			
2003		13,483	107,211	120,694			
2004		15,156	102,630	117,786			
2005		15,892	96,977	112,869			
2006		17,322(r)	89,631(r)	106,953(r)			
2007		18,959(r)	87,551(r)	106,510(r)			
2002	Q1	3,206	30,287	33,493	3,285	30,220	33,505
	Q2	3,318	29,453	32,771	3,230	29,332	32,562
	Q3	3,508	29,157	32,665	3,335	29,152	32,487
	Q4	3,525	29,701	33,226	3,711	29,876	33,587
2003	Q1	3,365	29,034	32,399	3,336	27,885	31,221
	Q2	3,346	25,921	29,267	3,362	26,896	30,258
	Q3	3,468	26,614	30,082	3,322	26,507	29,829
	Q4	3,304	25,642	28,946	3,457	25,834	29,291
2004	Q1	3,611	26,704	30,315	3,621	25,705	29,326
	Q2	3,921	25,410	29,331	3,895	26,351	30,246
	Q3	4,049	26,042	30,091	3,890	25,883	29,773
	Q4	3,575	24,474	28,049	3,739	24,689	28,428
2005	Q1	3,618	24,119	27,737	3,802	24,216	28,018
	Q2	4,162	24,731	28,893	3,953	24,600	28,553
	Q3	4,126	24,323	28,449	3,963	24,156	28,119
	Q4	3,986	23,804	27,790	4,159	24,039	28,198
2006	Q1	4,161(r)	24,396(r)	28,557(r)	4,187	23,433	27,620
	Q2	4,204(r)	21,805(r)	26,009(r)	4,197	22,650	26,847
	Q3	4,777	22,311(r)	27,088(r)	4,562	22,194	26,756
	Q4	4,180(r)	21,119(r)	25,299(r)	4,364	21,315	25,679
2007	Q1	4,575(r)	22,265(r)	26,840(r)	4,590	21,325	25,915
	Q2	4,634	20,323(r)	24,957(r)	4,663	21,153	25,816
	Q3	5,047	22,047(r)	27,094(r)	4,798	21,970	26,768
	Q4	4,703(r)	22,916(r)	27,619(r)	4,909	23,108	28,017
2008	Q1	4,768(p)	23,598(p)	28,366(p)	4,985	23,518	28,503

Notes:

\* Data relating to 1999 onwards are sourced from county court administrative systems and exclude duplicate observations. Data prior to 1999 are sourced from manual counts made by court staff.

1. Includes all actions regardless of the category of landlord

2. Includes suspended orders

All period figures denoted by (r) are based on revised data and replace those provided in the last bulletin

All period figures denoted by (p) are based on provisional data

## Explanatory notes

1. This is a National Statistics publication produced by the Ministry of Justice. National Statistics are produced to high professional standards set out in the National Statistics Code of Practice. They undergo regular quality assurance reviews to ensure that they meet customer needs. They are produced free from any political interference.
2. The data provided in each of the tables relate to possession **claims issued** and **orders made** in county courts in England and Wales.
3. The mortgage data include all types of lenders whether local authority or private (e.g. banks and building societies).
4. The landlord data include all types of landlord whether social or private sector, and cover actions made using both the standard and accelerated possession procedures. The accelerated possession procedure is used by landlords in relation to assured shorthold tenancies, when the fixed period of tenancy has come to an end. It enables orders to be made by the court solely on the basis of written evidence and without calling the parties to a hearing.
5. The Q1 2008 figures are provisional and therefore liable to revision to take account of any late amendments.
6. Percentage changes are not provided where there are less than 20 observations in the past period.
7. Figures on mortgage and landlord possession actions are published on a quarterly basis.
8. The information contained in this publication has been produced using the Management Information System (MIS), a data warehousing facility drawing data directly from court-based information systems.
9. Seasonally adjusted figures are provided as well as non-seasonally adjusted ones to provide a clearer picture of the underlying behaviour of the data series after removal of seasonal or other calendar influences. The seasonal adjustment models are designed using X12 ARIMA, the standard tool used for this purpose in government statistics.
10. The mortgage possession figures do **not** indicate how many houses have actually been repossessed through the courts; not all orders result in the properties actually being repossessed.
  - **Claims issued.** A claimant begins an action for an order for possession of property by issuing a claim in a county court

- **Orders made.** The court, following a judicial hearing, may grant an order for possession immediately. This entitles the claimant to apply for a warrant to have the defendant evicted. However, even where a warrant for possession is issued, the parties can still negotiate a compromise to prevent eviction.
- **Suspended orders.** Frequently, the court grants the claimant possession but suspends the operation of the order. Provided the defendant complies with the terms of suspension, which usually require the defendant to pay the current mortgage/rent instalments plus some of the accrued arrears, the possession order cannot be enforced.

10. The statistics shown for "properties taken into possession" are existing published figures from the Council of Mortgage Lenders (CML), which is an industry body representing around 98% of the UK residential lending industry. It should be noted that:

- The Ministry statistics on court actions cover England and Wales only. CML statistics cover the whole of the UK.
- CML statistics on actual possessions include properties surrendered voluntarily, and are published for half-yearly periods. Given the time lags involved, some of the court orders for these possessions may have been granted in earlier time periods.
- Mortgage possessions counted in the CML statistics predominantly relate to the non-repayment of loans which are secured as a "first charge" against the property. The large majority of "second charge" lending (any loan secured on a property for which a separate first charge loan already exists) falls outside the membership of the CML and therefore any resulting repossession will not be counted in the CML's figures.

### **Historic factors**

A new Pre-Action Protocol for housing possession claims based on rent arrears came into effect on 2<sup>nd</sup> October 2006. The Protocol applies to rent arrears claims issued by social landlords (e.g. Local Authorities, Registered Social Landlords), and gives clear guidance on what the courts will be expecting landlords and tenants to have done prior to arriving at court. The main aim of the Protocol is to encourage more pre-action contact between parties and to enable court time to be used effectively. The introduction of the Protocol may therefore explain much of the reductions in the numbers of rent possession claims issued and orders made since then. This protocol can be viewed using the following link

[http://www.justice.gov.uk/civil/procrules\\_fin/contents/protocols/prot\\_rent.htm](http://www.justice.gov.uk/civil/procrules_fin/contents/protocols/prot_rent.htm)

## **Symbols and conventions**

The following symbols have been used throughout the tables in this bulletin:

- (r) = Revised data
- (p) = Provisional data

## **Contact points for further information**

Current and previous editions of this publication are available for download at ([www.justice.gov.uk/publication/mortgatelandlordpossession.htm](http://www.justice.gov.uk/publication/mortgatelandlordpossession.htm))

Press enquiries should be directed to the Ministry of Justice press office:

**Michael Duncan**

Tel: 020 7210 1398 / 8695

Email: [press.office@justice.gsi.gov.uk](mailto:press.office@justice.gsi.gov.uk)

Queries on the wider policy implications of these statistics should be directed to the Department for Communities and Local Government's press office

**Matt Ward**

Tel: 020 7944 3049

Email: [matt.ward@communities.gsi.gov.uk](mailto:matt.ward@communities.gsi.gov.uk)

Queries on statistics shown for 'Properties taken into possession' and other related statistics should be directed to the Council of Mortgage Lenders' press office on

Tel: 020 7434 0075

Other enquiries about these statistics should be directed to

**Faiza Awais**

Economics & Statistics Division

Ministry of Justice

5<sup>th</sup> Floor

Selborne House

54–60 Victoria Street

London SW1E 6QW

Tel: 020 7210 8846

Email: [faiza.awais@justice.gsi.gov.uk](mailto:faiza.awais@justice.gsi.gov.uk)

General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: [esd@justice.gsi.gov.uk](mailto:esd@justice.gsi.gov.uk)

Other National Statistics publications, and general information about the official statistics system of the UK, are available from [www.statistics.gov.uk](http://www.statistics.gov.uk)

