

## Eviction from a private tenancy

This information is for people renting privately in Northern Ireland.

If you're a private tenant, your landlord can evict you. Legally, eviction is when you are removed from a property. Your landlord must follow a process which includes:

- giving you written notice, called 'notice to quit'
- taking you to court
- getting a court order
- enforcing the order with the Enforcement of Judgments Office (EJO)

## Reasons for eviction

Your landlord needs a reason to evict you, if you:

- have a tenancy agreement (also called a fixed term), and it has not ended yet
- did not have a tenancy agreement (also called a periodic tenancy), and have rented the property for less than six months

Your landlord does not need a reason to evict you if:

- your tenancy agreement ended, and you did not sign a new one
- you never had an agreement and you have rented the property for more than six months

If you have a tenancy agreement, your landlord can try to evict you if:

- you broke the terms of your agreement (for example, you owe rent)
- your agreement lets you or the landlord end the tenancy early

# Getting a notice to quit

There is no template for a notice to quit, but it must:

- be in writing – delivered in person, by post, email or text message
- give you a certain amount of notice before you need to leave – called the ‘notice period’

The amount of notice you get depends on how long you lived in the property. You get:

- four weeks if you rented your home for less than a year
- eight weeks if you rented your home for 1 to 10 years
- 12 weeks if you rented your home for 10 years or more

Your landlord cannot force you out of the property once the notice period ends. If they want to remove you, your landlord must take you to court. You usually get a final letter with a last chance to leave the property.

Talk to your landlord and our advisers to see if you can work things out, without going to court. You may be able to:

- work out a payment plan
- get help to pay your rent

[Our mediation services](#) can help you resolve arguments with your landlord.

# Going to court for eviction

If you cannot work things out with your landlord and you do not leave, your landlord can take you to court and get a court order to force you to leave.

## Getting a court hearing

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

The court may allow you to stay in the property if:

- your tenancy agreement has not ended yet
- you can show that you did not break your agreement

As long as your landlord has followed the correct process, the court will order you to leave the property if:

- your tenancy agreement ended (you're now a periodic, or 'month to month' tenant)
- you never had a tenancy agreement and rented the property for six months or more
- the court agrees you broke the agreement

The court can also order you to pay certain costs to the landlord, including:

- rent you owe
- the landlord's legal fees
- for any damage you caused

## **After the court orders you to leave**

After the hearing, you will get a copy of the court order, called a 'Possession Order'. This order usually includes:

- a final date to leave the property
- how much money you must pay the landlord

You should make plans to move out and [get help](#) if you do not have a place to go.

If you do not leave, the landlord cannot force you out of the property themselves. They must apply to the EJO to enforce the order. You are responsible for these costs.

## **Enforcing a court order**

The enforcement process starts when you get a notice from the EJO that they will enforce the court order. If you do not leave, EJO officers can legally enter your home and remove you and your belongings. This process can take several weeks or months before the eviction stage, but it's best to try and sort things out as soon as you can.

You can always [speak to our advisers](#) about your situation and see what options you have.

# Eviction from a protected tenancy

To get a possession order against a protected tenant, your landlord needs to prove that at least one condition of either the mandatory or discretionary grounds for possession apply.

Mandatory grounds for possession are typically based on the original purpose of the tenancy. For example, if before the tenancy started:

- the property was your landlord's home and they told you they'd move back in eventually
- your landlord was in the armed forces and they told you they'd move back in eventually
- your landlord told you that they would move into the property when they retired
- the property was originally meant for a minister of religion or missionary and the landlord needs it now for this purpose

Discretionary grounds for possession are typically based on the tenant's actions. For example, if:

- you sublet the property without your landlord's permission
- you were your landlord's employee and they need the property for a new employee
- the property is on agricultural land the landlord wants to sell

Your landlord must give you at least eight weeks' notice to quit. If you lived in the property for more than 10 years, they must give you at least 12 weeks' notice.

If you're a protected tenant and your landlord is trying to evict you, [speak to our advisors](#) or a solicitor.

## More advice

- [Rent arrears](#)
- [Managing your mortgage and income](#)

## Footnotes