

A Practical Guide to Harassment and Illegal Eviction

Harassment and Illegal Eviction is a serious criminal offence and a breach of civil law. The City of Lincoln Council has powers to prosecute anyone who commits such an offence.

The law states that if your landlord wants to evict you, he must follow the correct legal procedures. These may vary according to the reason why he wants to evict you, but he should serve you with a written Notice to Quit or A Notice of Seeking Possession. You do not need to leave the property when that expires, the landlord needs to go to court to obtain a Possession Order, even after that the landlord would still have to go back to court to get an Eviction Order.

Harassment

Some landlords do try getting their tenants out by other means; they will do this by committing acts that will force them to leave. This is called harassment.

Some examples of this are:

- Interfering with or cutting off the gas, electricity or water supply
- Threatening you with violence
- Making you give your keys up
- Making you sign an agreement which would take away some of your legal rights
- Moving your possessions out of the property without your consent
- Stopping you using any shared facilities

Some landlords may force or lock their tenants out of their property without using the correct legal procedure; usually they do this when they do not have the legal grounds for an eviction.

This is called an Illegal Eviction.

What you can do

You can contact the Council on 01522 881188 and we will advise you. You can contact a solicitor to take out a private civil action. Both your solicitor and the Council will phone/write to the landlord informing him that he is breaking the law, if necessary the solicitor can apply to the courts for an Injunction or Court Order to force your landlord to let you return to your tenancy.

If it is an emergency the solicitor could obtain an injunction in a few hours, but more times than not it can take a few days.

The solicitor may be able to apply to the courts for damages, for any inconvenience/expenses you have suffered and to pay for any damage to your possessions.

If the landlord comes around to your property in the evening or the night and causes you serious problems, you must ring the police.

How to contact us

Directorate of Housing and Community Services
City Hall
Beaumont Fee
Lincoln
LN1 1DE

Tel 01522 881188

Email: housingoptions@lincoln.gov.uk