

**I moved into a private rented flat about a year ago. Just recently I've become worried that my landlord hasn't been paying the mortgage. I've heard I could be evicted without notice even if I'm up to date with my rent. Is this correct?**

Until this month (October) it's true that you could have been evicted by your landlord's mortgage lender without notice if your landlord was repossessed due to mortgage arrears, but you now have new protection.

If your landlord falls behind with mortgage payments, the mortgage lender can go to court to get possession of the property. When the lender has got possession, they can usually evict anyone who is living there. This includes tenants, even if they are up-to-date with their rent.

However new rules now mean you can ask the court or the mortgage lender to delay possession of your home by up to two months to give you time to find somewhere else to live.

You have two opportunities to do this. You can make an application to attend court and ask the judge at the possession hearing to give you more time before you have to leave. Or after the possession order is made you can ask the landlord's mortgage lender to give you more time to leave. If the lender refuses, you can apply to the court instead.

You may have more rights to stay if:

- the type of mortgage your landlord has allows them to rent out the property, or
- you were living in the property before the mortgage was taken out, or
- your landlord's lender has recognised your tenancy in some way, for example, by asking you to pay them rent.

For more information about when you can be evicted by your landlord's mortgage lender and what you can do about it, see the Citizens Advice website [www.adviceguide.org.uk](http://www.adviceguide.org.uk)

You can get help to apply to the lender or the court from your local Citizens Advice Bureau. To search for details of your nearest CAB, including those who can give advice by e-mail, click on the [nearest CAB](#) option on the *Adviceguide* home page.