



High Court Enforcement
Officers Association

Possessions - A guide to Transferring Up

This guide is for landlords and solicitors who already have a County Court Possession Order and want to transfer up their Order to the High Court to avoid the delays in the County Court enforcement process.

It provides a checklist of the essential materials needed and an overview of the templates landlords can use to create the key documents to apply to Transfer Up and reclaim their property. Please download our template pack at www.hceoa.org.uk/transferring-up-guide

Alternatively, you can **ask a High Court Enforcement Officer to do the transfer for you.**

Please note Court fees are applicable at the relevant stages.

April 2026

DISCLAIMER

This document is provided for general information only and does not constitute legal advice. It represents an example of how such materials might be prepared and may not be suitable for your specific circumstances.

No liability is accepted for any loss or consequences arising from their use. Independent legal advice should always be sought before taking action in relation to court proceedings or enforcement.

Letters to defendant/the occupant

Before applying to the Court, you must first send two separate letters – one addressed to the defendant, and one addressed to the occupant (in case they are different people). These should be sent by post to the same address.

You can find and download a template letter in our template pack at www.hceo.org.uk/transferring-up-guide

This is a sample letter to a defendant that has been created in Word. Insert the relevant details for your claim where highlighted and tailor it to your specific needs. It should be printed on your headed paper, clearly identifying who it is from.

Don't forget to send **two letters** – one to the defendant and one to 'the occupant'

Delete this and add your logo, or adjust the heading height to suit existing printed headed stationery

Print on your own branded stationary or add your logo

Defendants Name / 'The Occupier'
Address line 1
Address line 2
Address line 3
Address line 4
Post Code

Date: Date letter sent
Re: Claimant Name v Debtor Name

Dear Debtor Name / Occupier

We refer you to the Order of Deputy District Judge Judge's Name sitting at the Name of Court County Court on Date of order stating that the defendant give the claimant possession of Address for possession on or before date possession should have been given, for which you have failed to comply.

We are writing to formally provide you with notice of the following:

1. Our application to Name of County Court for leave to transfer the enforcement of the Order to the High Court under Section 81 of the County Court Act 1984. This allows a High Court Enforcement Officer to enforce the Order against the property rather than a County Court bailiff.
2. Our subsequent application in accordance with Section 81(2) of the County Court Act 1984 for permission from the King's Bench Division of the High Court to enforce the Order against the property following permission from the County Court under Section 81(1) of the County Court Act 1984 as stated above.

This letter is deemed as sufficient notice and service of the application notice itself is not required, for further reference see Gupta -v- Partridge 2017.

If you have any questions around this notice, we recommend that you obtain independent legal advice.

Yours faithfully

Add name and signature

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Letter to Court and N244 form

This is the cover letter that must be sent to the Court, along with the completed N244 form and the witness statement (plus any supporting documents).

Using the editable sample letter to the Court provided in our template pack, add the relevant details for your claim where highlighted and tailor it to your specific needs. It should be printed on headed paper, clearly identifying who it is from.

You will also need to download and complete an N244 form. This is the same form you completed when you applied for a Possession Order, except this time you need to state you are applying for a Section 42 order to 'transfer up'.

Print on your own branded stationary or add your logo

Delete this and add your logo, or adjust the heading height to suit existing printed headed stationary

Court Name
Court address line 1
Court address line 2
Court address line 3
Court address line 4
Post Code

Date: Date letter sent

Re: Claimant Name v Debtor Name

Dear Sir/Madam

Following on from the order made on Date of order which the defendant has failed to comply with, please find enclosed my application along with the following documents that make up my application for permission to enforce an Order of Possession in the High Court.

- N244 application notice, original plus 2 copies, including:
 - a. Notice to the occupiers of our intending application,
 - b. A copy of the original Order for Possession, and
 - c. Copy of my witness statement explaining the reasons for the request
- A draft of the Order we are requesting (plus 2 copies).

Please see attached my payment (or, if held, please debit my PBA Account No Account number) for the cost of an ex parte application.

Please present these documents to a District Judge at the earliest opportunity and, once an Order is granted, return the sealed Order to the following address: Your business address

Yours faithfully

Add name and signature

Remember to include your completed N244 form

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Transferring Up checklist

Use this checklist to make sure you have everything ready to make your application to your County Court.

Once your application is ready, you need to send it to the County Court where the Order for Possession was made. We recommend keeping a copy of everything you send.

Remember, you can also ask a **High Court Enforcement Officer** to do the transfer for you.

Keep a copy of everything you send to the Court

Transferring Up checklist

- Signed letter to the Court
- Completed N244 'Transferring up' form
- Witness Statement
- Supporting documents as appropriate to your case, for example:
 - A Copy of the possession order (sealed by the court)
 - B Tenancy agreement (if relevant to arrears)
 - C Schedule of rent arrears (up to date)
 - D Landlord's loss evidence (e.g., rental valuation, mortgage statement, or proof of financial loss)
 - E Correspondence with County Court Bailiffs confirming delay
 - F Evidence of nuisance/damage (e.g., neighbour complaints, photos, repair invoices)
 - G Copy of letters to Defendant and Occupant warning of application being made