



High Court Enforcement
Officers Association

Possessions - Transferring Up

Landlords suffer as County Court backlog
hits possessions activity

October 2025

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Executive Summary – A tale of two systems

This research looks at the experiences of landlords and property professionals in England and Wales when using the County Court and High Court for enforcing possession orders. The participants represent landlords of over 52,000 properties.

They range from landlords with just a single property to property agents and solicitors who represent organisations that rent out hundreds of residential properties across the country.

We asked for data showing the financial impact of delays in the enforcement system and time taken for enforcement activity to take place after a judge has granted an Order for Possession meaning the tenant should leave. The results show the scale of the impact on landlords.

Average rent loss is over £12,000 nationally and over £19,000 in London

The average unpaid rent owed per property at the time of eviction was £12,708 in England and Wales and £19,223 in London.

Average eviction waiting time through the County Court system is six months

This is after a judge has ruled that the tenant should be evicted. It comes on top of long delays to get the final hearing.

Landlords in London are experiencing the worst delays

With an average of eight months wait for an eviction to take place once a Judge has granted an Order, the County Court system in London appears to be completely broken. This is costing landlords thousands of pounds a month as delay after delay stops them accessing their properties.

Other areas of our research revealed that County Court Bailiffs are now referring to HMCTS policy stating they are “no longer able to use reasonable force to evict the tenant” where necessary.

High Court Enforcement should be a simple and easy option for landlords that would minimise financial losses and ease pressure on the County Court. Using the High Court Enforcement route the average savings per property in London could be £12,000.

High Court Enforcement Officers can arrange an eviction date within a month of receiving a Writ

However, County Court bureaucracy, lack of awareness, and a seeming reluctance from District Judges to allow the transfer up of cases to the High Court for enforcement means that access to justice for landlords is too often being delayed.

A blueprint for improvement

The HCEOA and its partners the NRLA, Propertymark and Landlord Action believe that if no action is taken, landlords will continue to suffer significant financial losses caused by delays and HMCTS policy changes and many will leave the rental market, negatively impacting the economy.

The UK Government, District Judges, landlords and property professionals all have a part to play in relieving this pressure on the County Courts and removing this financial burden and stress from landlords.

Two simple steps for the UK Government

The UK Government should recognise the scale of the problem and make two urgent changes to help ensure fair and timely access to justice for landlords.

1. Engage with District Judges to ensure that requests to transfer up to the High Court for enforcement should always be allowed where the County Court Bailiff delay locally is three months or more or where it is possible that reasonable force may have to be used.
2. Simplify the process for 'transferring up' so that it's easier for landlords to request and apply, easier for the County Court to administrate and better for onboarding into future digital reforms of the courts. This could be done by removing the need for Section 42 and using the N293a process.

Both changes will speed up the system and enable quicker access to justice in cases where a judge has already granted a Possession Order.

Enabling landlords and property agents to transfer up

Alongside these changes, landlords and property professionals can be more proactive in transferring up to the High Court for enforcement – particularly in areas like London where the County Court delays are huge – to enable faster access to justice.

The three steps below outline how landlords can maximise the benefits of transferring up in the right way at the right time if Government takes action to support them.

1. Speak to an experienced property professional such as a letting agent, solicitor or a High Court Enforcement Officer who is familiar with the transfer up process to see if transferring up is the right option for you
2. Apply for leave to transfer the possession to the High Court for enforcement at the same time as you request an Order for Possession
3. Make sure you give substantial evidence detailing the grounds for transferring the case in a witness statement supporting the application.


This could be evidence of delays, increasing amounts owed and, if appropriate, a statement that you have received threats of confrontation or violence, and believe it may be necessary to use reasonable force to evict the tenant.



Landlords in London are experiencing the worst delays

The County Court system in London appears to be completely broken and is costing landlords thousands of pounds a month as delay after delay stops them accessing their properties.

8 months	Mean average waiting time for a County Court Bailiff eviction date*
£19,223	Mean average reported unpaid rent at time of eviction
£2,178	Mean average monthly rent
2 out of 10	Satisfaction rating from landlords and property professionals



*This is once an Order for Possession has been granted by a judge.



Shoreditch and Clarks Court and Stratford County Court are incredibly slow in responding to any queries and the length of time in obtaining an appointment for a bailiff takes on average over one year.

Quotes in grey boxes (as above) were provided by respondents to the survey and are worded exactly as provided

When it comes to transferring up, there is little relief for landlords in London

- Just 30% of requests to transfer up are being approved by judges despite these delays
- 25% of requests to transfer up are being turned down by judges because there are 'no delays'
- Some judges appear to be making refusal decisions based on subjective reasons.

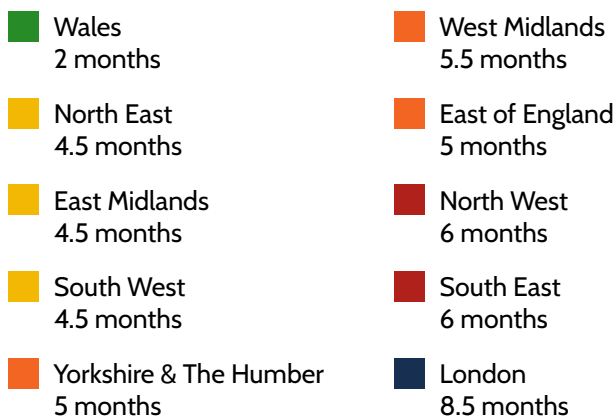
It is unfair to the landlord to refuse a request to transfer up for enforcement when faced with County Court Bailiff delays of more than three months once an order has been granted by a judge. Using the High Court enforcement route would clearly provide quicker access to justice in this scenario and would be enforced under the same rules with the enforcement cost paid for by the claimant.

Allowing quicker and easier transferring up of cases would also prevent unnecessary eviction delays from limiting the availability of rental properties for new tenants, which is becoming an increasing problem for local authorities and social landlords in London.

The national picture

County Court eviction timeframes across England and Wales

England and Wales map with the average County Court timeframes represented by region.



The map shows how the scale of delays varies widely by region. London has by far the biggest delays, the impacts of which are exacerbated as average rents in London are around 25% higher than anywhere else in the country.

The **Government's own mortgage and landlord possession statistics** reinforce these findings. The latest national quarterly statistics show that on average it is taking over six months from the issuing

of an Order for Possession for the repossession to take place. That figure is increasing*, and the problem is clearly far worse in London.

In 2024 there were 41,803** warrants of possession of which 27,582 were enforced by an estimated 350 County Court Bailiffs across the country. Add this to the 212,407*** warrants of control issued for enforcement in the County Court, and it's easy to see it's an impossible workload for County Court Bailiffs.

“We are a large LPA Receiver who unfortunately are carrying out multiple evictions a month throughout the UK. The system was poor prior to Covid but since the pandemic the process, like many things, is completely broken. The delays you experience with the entire process is unacceptable, the courts are overrun and not able to function.”

*It has increased in four of the last five quarters from 25.4 weeks to 27.7 weeks overall.

**Mortgage and Landlord Possession Statistics: April – June 2025

***Civil Justice Statistics Quarterly: April – June 2025

Government action is needed

The HCEOA and its partners the NRLA, Propertymark and Landlord Action are calling on Government to recognise the scale of the problems and make two urgent changes to help ensure fair and timely access to justice for landlords.

1. Engage with District Judges to ensure that requests to transfer up to the High Court for enforcement should always be allowed where the County Court Bailiff delay locally is three months or more or where it is possible that reasonable force may have to be used.
2. Simplify the process for 'transferring up' so that it's easier for landlords to request and apply, easier for the County Court to administrate and better for onboarding into future digital reforms of the courts. This could be done by removing the need for Section 42 and using the N293a process.

Both changes will speed up the system and enable quicker access to justice in cases where a judge has already granted a Possession Order.

“

I was constantly chasing them for an update. They specifically said that I was in a queuing system and there was no way of speeding up the process. I lost almost everything due to the rent arrear, I couldn't feed my family let alone pay bills. I had a breakdown and felt suicidal.

“

These changes can be delivered today at no cost to Government, the judiciary, tenants or debtors. They could save landlords who already have a court judgment in their favour thousands of pounds, prevent them from exiting the rental market and stop them becoming debtors of the future.

”

Mike Jackson
Vice-Chair of the HCEOA

“

I think the default process should be to go straight to high court enforcement and the judge to grant it on the possession order. Once you've served notice, applied for court and waited for court date. Then wait for the 14-42 days on possession order you are already the best part of nine months in so it takes the biscuit to then wait a further six months for a cc bailiff.



Helping landlords and property professionals

If you are a landlord in London, using the High Court enforcement route can significantly limit your financial losses and help you reclaim your property more quickly.

In some other parts of the country, the County Court system is working more effectively, and you would get less financial benefit from 'transferring up', but the High Court Enforcement route will almost always be quicker.





Overall we are seeing High Court evictions be set within maximum two months of instruction. In worst cases, the County Court is taking 9 to 10 months to do the same.

Transferring up – our three-step guide for landlords and property agents

1. Speak to an experienced property professional such as a letting agent, solicitor or a High Court Enforcement Officer who is familiar with the transfer up process to see if transferring up is the right option for you
2. Apply for leave to transfer the possession to the High Court for enforcement at the same time as you request an Order for Possession
3. Make sure you give substantial evidence detailing the grounds for why the case needs to be transferred as part of the application. This could be evidence of delays, increasing amounts owed and, if appropriate, a statement that you have received threats of confrontation or violence, and believe it may be necessary to use reasonable force to evict the tenant.

Why It's Time To Transfer Up in London

	County Court Bailiffs 	High Court Enforcement 
Time taken	36 weeks	8 weeks
Potential cost in lost rent and fees	£17,554*	£5,434**
Potential saving		£12,120

Mean averages used throughout

* Based on London average rent of £2,178 from survey respondents and a £130 County Court fee

** Based on two months lost rent at the London average figure plus a £78 writ fee and a £1,000 enforcement fee allowance

Looking for more help?

Read our detailed [guide to transferring up](#) on the HCEOA website.

A fresh approach for the judiciary

The HCEOA and its partners are calling on District Judges to allow more landlords' requests to transfer up enforcement to the High Court.

This would recognise both the delays in the County Court system and the wider challenges the courts are facing when it comes to providing an effective repossession service.

As the letter below shows, County Court Bailiffs are now referring to HMCTS policy stating they are "no longer able to use reasonable force to evict the tenant" where necessary.

HM Courts & Tribunals Service

The County Court at Bodmin
The Law Courts
Launceston Road
Bodmin
PL31 2AL

DX 136846 Bodmin 2

Tel: 0300 123 5577
Fax: 01208 77255
Minicom VII: 0191 4781476
(Helpline for deaf and hard of hearing)

www.hmcourts-service.gov.uk

Our Ref: [Redacted]
Your Ref: [Redacted]

09 September 2025

Dear Sir/Madam

Re: [Redacted]
Claim No: [Redacted]
Warrant No: [Redacted]

Please be advised that the current policy of HMCTS is that the county court bailiff will no longer be able to use reasonable force to evict the tenant; an option that was previously available to them if considered necessary by the claimant. If the respondent refuses to vacate the premises voluntarily the County court bailiff has no option other than to withdraw and close the warrant. If you feel that the mere presence/ threat of a bailiff attending will not be enough to convince the occupier to vacate then you may feel that employing a High Court Bailiff would be a more sensible option. They are empowered to use reasonable force if necessary and may prove to be more effective. Yours sincerely, [Redacted] Bailiff

Just 30% of landlords and property professionals responding to our survey said the judge had approved their transfer up request, with many judges citing 'no delays' as a reason not to transfer.

A High Court enforcement route will allow swifter access to justice for landlords who have already been granted an Order for Possession by a District Judge.

- High Court Enforcement Officers are authorised by the Lord Chancellor to enforce court orders, and they enforce under the same rules as County Court Bailiffs.
- Debtors will have the same notice period and protections as through the County Court.
- High Court Enforcement Officers are personally responsible for enforcement under the writ and are answerable for their actions and those of the enforcement agents working for them.
- Through the National Standards, the HCEOA's Code of Best Practice and these personal responsibilities, HCEOs have well established procedures for engaging with vulnerable people during challenging situations in terms of taking time and acting appropriately.
- The fees are paid for by the claimant and are not an additional burden upon the debtor who is being evicted.
- Allowing these cases to be transferred when requested helps reduce the burden upon the County Court Bailiff by removing some of the volume of work facing an over-stretched County Court system.

Research results

There were 679 respondents to our survey. They ranged from landlords with just a single property to property agents and solicitors who represent landlords and organisations that own and rent out hundreds of residential properties across the country.

Collectively, they represent landlords of over 52,000 rental properties in England and Wales.

Financial impact of delayed evictions on landlords

The average total of unpaid rent owed per property at the time of eviction

£12,708 England and Wales	£19,223 London
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Many of these debts are never paid as the debtors cannot afford to pay them. A delay in enforcement actually worsens the debtor's long-term financial position.

For landlords who have multiple cases, the delays can be ruinous.

Landlords are facing lost income of tens of thousands of pounds, much of it caused by needless delays in the County Court enforcement process.

Speed of evictions: a tale of two systems

Once a landlord has been granted a warrant or writ of possession, it means that a judge has considered the case and decided there are grounds to evict the tenant.

At this point, landlords should rightly expect a speedy resolution. Instead, many are left waiting six months or more for an eviction date from a County Court Bailiff.

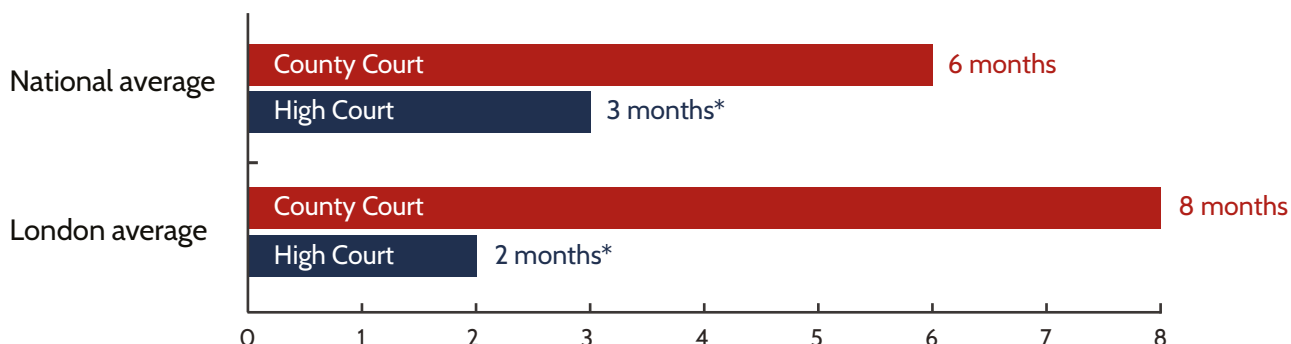
Even contacting a County Court Bailiff to ask about waiting times is difficult.



The first three paragraphs of a 717 word auto-response email being issued to landlords enquiring about possessions to possessions@justice.gov.uk



Graph 1: Average eviction waiting time after a Possession Order has been issued



*This figure is from the landlords' perspective, so includes the time taken to obtain the writ, which may include leave to transfer and then the enforcement of the writ.

100% of High Court Enforcement Officers responding to our survey said they can typically set an eviction date within one month once a writ of possession has been issued.

In London, the average waiting time for a County Court Bailiff is over eight months and landlords are faced with hours of waiting in telephone queues and bewildering and unhelpful auto replies from emails just trying to find out the length of the delays for evictions.

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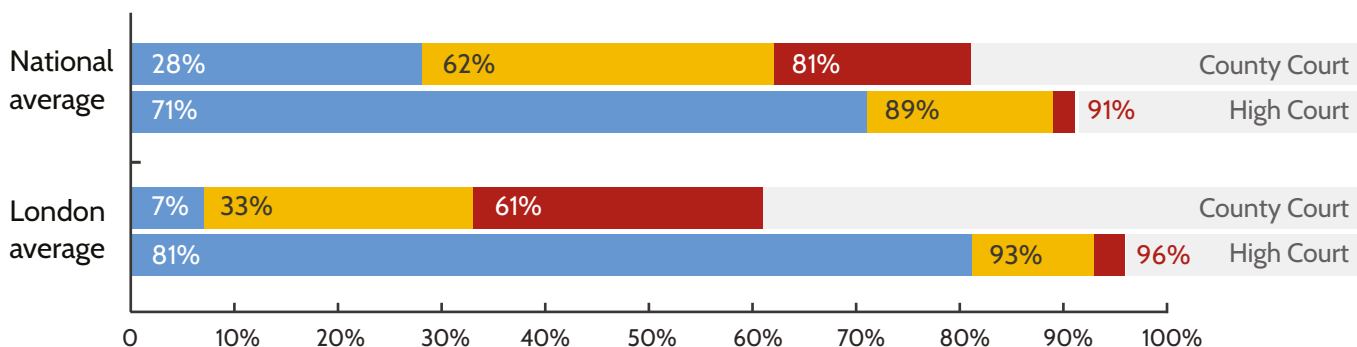
12 months for a London bailiffs resulting in the arrears doubling by the time possession obtained.

“

When talking to them they were saying that they are back to back everyday and they have a big backlog. They are saying that next available appointment are five to six months away.



Graph 2: Percentage of landlords/agents across England and Wales reporting the time it takes for an eviction taking place AFTER a warrant/writ of possession has been issued



Time taken once granted: ■ 3 months ■ 6 months ■ 9 months

The difference in the time taken between the County Court route and the High Court enforcement route is huge, particularly in London.

Just 7% of County Court evictions in London took place within three months compared to 81% of evictions carried out by High Court Enforcement Officers.

After six months, those performance figures are 33% for the County Court and 93% for High Court enforcement.

“

The London and Kent County Courts in particular have been taking six months + to issue the Warrant let alone enforce. We receive no updates and it's impossible to reach the court, instead the national centre. We also find the bailiff appointment is not long enough and it can be difficult arranging contractors to attend at the same time since they attend at random times.

More than 1 in 8 County Court Bailiff evictions in London take more than 12 months.

These delays are impacting the availability of rented housing to local authorities and social landlords as well as in the private rental market.



Satisfaction levels

Landlords and property professionals are unsurprisingly hugely unhappy and dissatisfied with this. We asked them to rate their overall satisfaction levels with the County Court Bailiff route and the High Court enforcement route on a scale of 1-10.

Nationally, the High Court enforcement route was ranked twice as effective as using a County Court Bailiff.

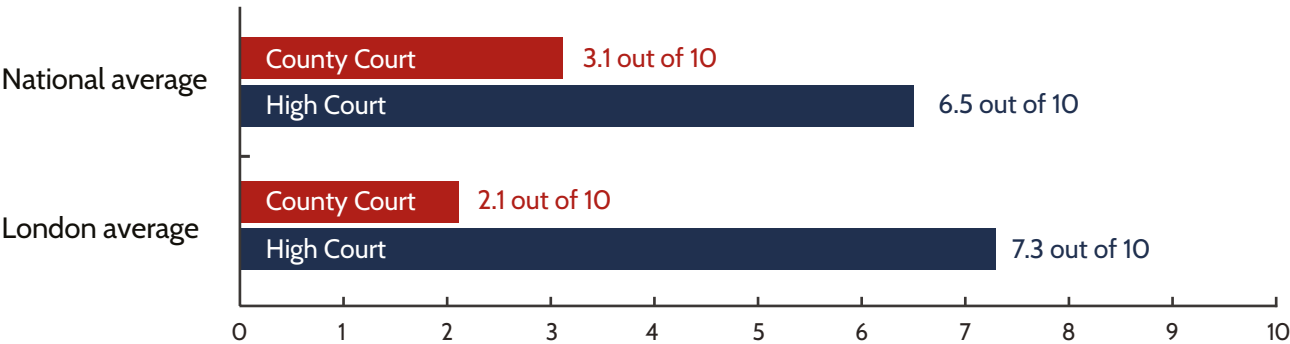
Within London, it was ranked more than three times as effective, with the County Court Bailiff route scoring just over two out of ten.

This is reflected in the choices being made by property professionals and increasingly by landlords to invest in using the High Court enforcement route. Dissatisfaction with the County Court is strongest amongst those who have tried both options.

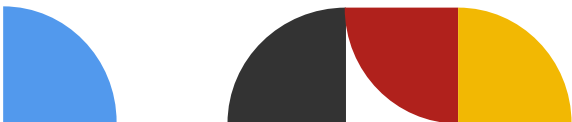
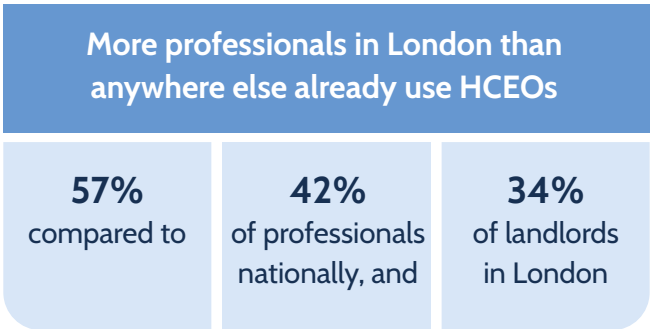
The survey results also show more property professionals in London choosing to use the High Court route compared with colleagues nationally or landlords in London.

We believe this shows this informed group of experts voting with their feet and choosing to avoid the County Court because of the delays in the system in London in particular.

Graph 3: Satisfaction levels with the enforcement process



Graph 4: Percentage of professionals using the High Court route



Transferring up to the High Court

'Transferring up' is the process of asking a County Court judge to give permission to evict a tenant using a High Court Enforcement Officer rather than a County Court Bailiff.

It does not mean the case is being transferred to the High Court. Permission to transfer up is granted at the discretion of the judge in each case.

Applicants can request Leave to Transfer Up at the same time as applying for a Possession Order at no extra cost by adding the request to the draft Order.

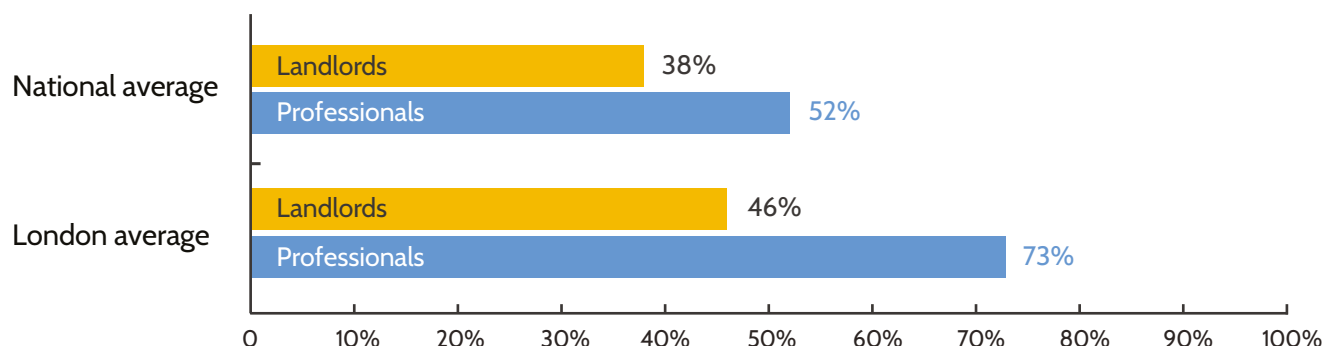
Our survey shows there are low awareness levels of this option, even amongst property professionals and solicitors.

Nationally, just 38% of responding landlords and 52% of responding professionals were aware they could ask for leave to transfer to switch to the High Court at the time of asking for the Possession Order.

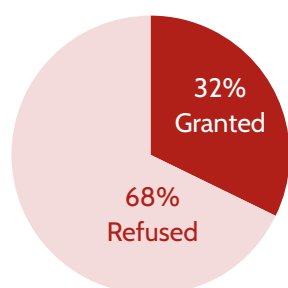
However, more than half (57%) of those who were aware of the option used it, showing there is demand for the flexibility, but this is where landlords and property professionals can face a major challenge if they are new to the process.

Survey respondents told us that just 30% of their requests to transfer up were granted. This compares with a 75% success rate reported by our members following the same process.

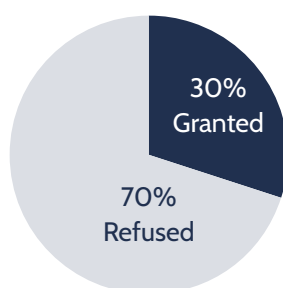
Graph 5: Transferring up awareness levels



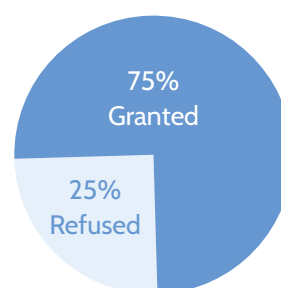
Graphs 6, 7 & 8: Percentage of Transfer Up requests granted



National
reported success



London
reported success



HCEOs
reported success

When requesting to transfer up, it is critical that compelling evidence of the reason for the request is presented in a witness statement supporting the application.

This should include evidence of County Court Bailiff delays, financial loss, property damage, or anti-social behaviour, including:

- The likely delay to the enforcement of the order, quoting this report, official Government data such as the **Government's own mortgage and landlord possession statistics**, or, where possible a timeframe given by County Court Bailiffs
- Providing responses from the Courts as to delays on timescales
- The ongoing financial impact of monthly lost rent to date, which is continuing to accrue month by month, quoting specific figures
- Wider impact upon the claimant of the delay such as problems with paying bills etc.

- Any issues that might be being caused by the property staying occupied e.g. damage being done, social impacts on neighbours through poor behaviour, loss of opportunity for another tenant to move in

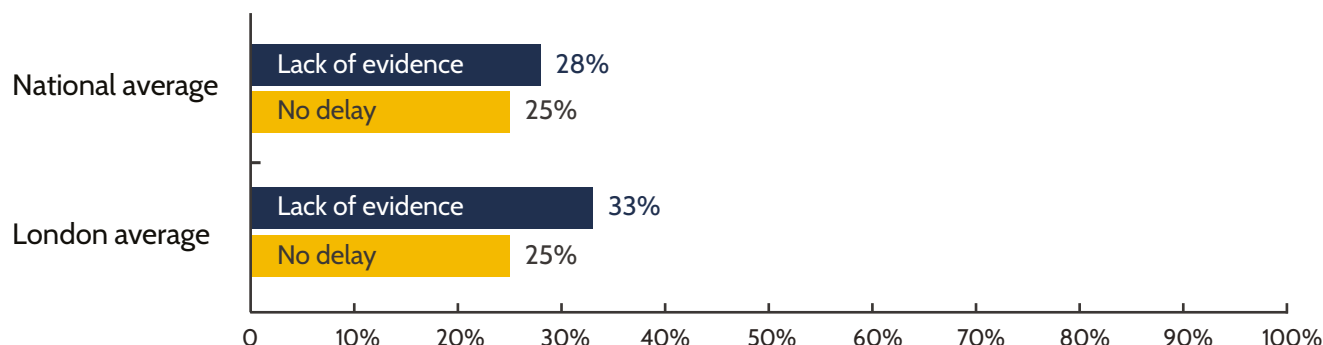
The time it takes and the variable success of transferring up requests further penalises landlords here.



I have asked for permission to transfer several times, with this in my original application for possession and then brought up at possession hearing. Always refused.



Graph 9: Judges' reasons for refusal



Survey respondents reported a wide range of reasons for judges refusing to grant a transfer up request. One in four said the judge had said “there was no delay” in the County Court system, even in London cases, and almost one in three said there was no evidence presented to grant a transfer.

Beyond that, the selection of responses below shows a wide range of what seem to be subjective reasons for judges turning down requests.

“

The judge disagreed “on a personal level”

Told to apply and wait, and if there is a delay, then apply for High Court

The judge said it was his decision and his court

DJs routinely refuse these applications, citing either “judicial guidance” or no delays within the Court service. This is often the case even where we have put in witness statement evidence in support of the s42 order and made robust submissions

“

The judge didn't think the level of arrears (£14,000) was serious enough to warrant HCEO involvement

The judge only wanted the County Court Bailiffs to execute

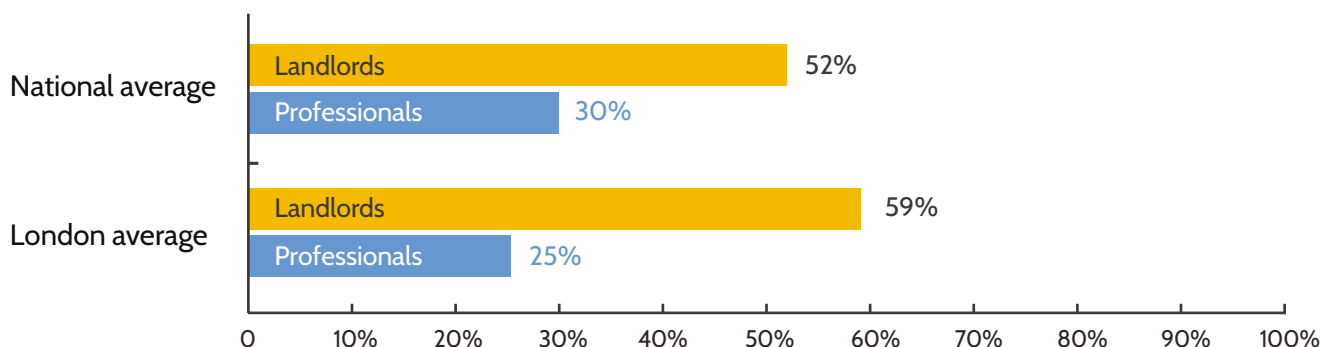
“You'll just have to wait like everyone else”

If the request to transfer up is not made at the same time as the original application for an Order for Possession, then it can be made at a later date via a different process called a Section 42 leave to transfer to High Court application.

We asked how long it was taking for these requests to be processed by the County Court. Nationally, the average time was just over three months, with requests in London typically taking slightly longer at three and a half months.

Our survey responses also showed that property professionals were able to navigate this process more quickly than individual landlords.

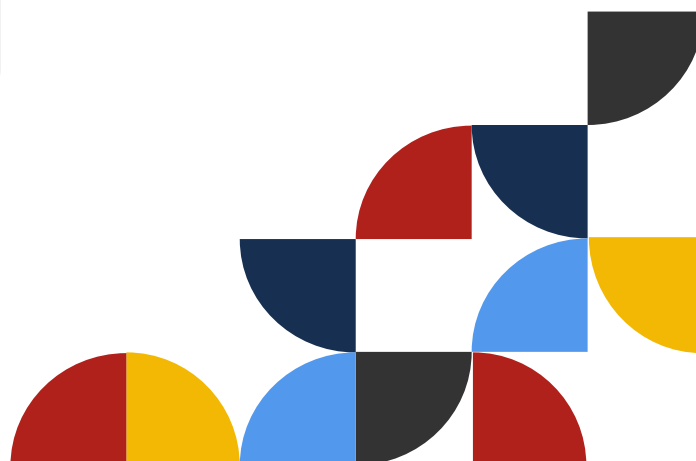
**Graph 10: Time taken for a Section 42 request to be processed
(% applied for and not granted within three months)**



This picture reflects our members' experience and feedback. They say it is taking longer for judges to decide on Section 42 applications than in previous years and that three months is an average figure. This makes it even more important to apply for transferring up at the same time as submitting the Order for Possession if you want to use the High Court enforcement route.



If at time of issuing possession an automatic process was set up whereby one can choose or have the option to choose CC bailiff or HCEO instead of applying via section 42 application which will both save time and funds, example with my option once possession granted and expired apply via HCEO for writ serve the 14 day notice and then by the fifteenth day get possession then that would both prove swift and efficient and save funds too.



In their own words – comments from landlords and property agents

The comments we received from landlords show their frustration with the county court process:

“

“There is no process of getting through to the bailiffs, and no progress update or anything is communicated; we are at the mercy when they would process.”

“Unable to call or speak to anyone for updates - procedural errors, courts closed and having case transferred to another court also overloaded increasing pressure on the court and bailiffs in general.”

“The real problem lies in the period after the judgment and award for possession and the significant delays for a County Court Bailiff which is just entirely unsatisfactory, and the service is way below what the service should be. There is in effect no service whatsoever, we have had zero communication about this, and we are left waiting for months at a time for news.”

“Romford County Court can take seven months from a possession order until an appointment with a Bailiff. On a number of occasions the Bailiff has turned up at an earlier time than the time it is booked for which causes problems as we act as agents for the landlord and need to attend the eviction and it often means rushing to get there or re-arranging other appointments.”

“

“I was advised it would take two weeks to be referred up and would probably be rejected so I'd of wasted two weeks.”

“Aside from the general delays in waiting for appointments, there is no communication on the progress in allocating appointments. I have had occasions where bailiffs have failed to attend/have attended very late/have cancelled appointments at the last minute because they've failed to serve the 14 day notice on the tenant.”

“There has been numerous occasions whereby no notice of the eviction is received, or the bailiff turns up and is not happy to proceed with the eviction for some nonsense reason. Multiple complaints are raised with the bailiff office/courts which very rarely get a response, as no one appears to be accountable for the poor service that is provided.”

“The High Court officers that we use have never had an issue with obtaining the Writ for Possession and tend to set an eviction date around 20 days after the fact. Overall we are seeing High Court evictions be set within maximum two months of instruction. In worst cases, the County Court is taking 9 to 10 months to do the same.”

“There is no helpline, merely telephone messages that send you around in circles so it is not possible to gain updates.”



“

“Four months to reach the point where we have an expired possession order, to then wait for another four months for a bailiff is outrageous. And this is not the tenants’ fault. Tenants are advised to remain in the property until the bailiff appointment date before they will be rehoused into more affordable accommodation. This results in those tenants getting into huge debt and CCJ’s being recorded against them. This then impairs their ability to obtain credit in the future, and results in them having to remain in under stocked social housing long term. The system is completely ‘back to front’ and helps no-one - neither landlord or tenant.”

“Stratford east London do not except emails only post enquiries so very difficult to contact them. Did not keep me informed.”

“The county court service for landlords after the order of possession has been issued is very poor and not fit for purpose.”

“No comments with regards to the bailiff themselves, but the timescales and timeframes is similar unacceptable. Five years ago the timeframe for bailiff would be approx. eight weeks, it is now taking six months and this is escalating costs for our clients and pushing some clients out of the rental market. This results in even fewer properties within the Private Rented Sector.”

“Completely broken justice system. Justice delayed is justice denied completely. When I mention to anyone, no one believes me.”

It’s important to recognise there was some praise and sympathy for County Court bailiffs in some areas:

“

“In my area, there is one bailiff for the entire County. I actually feel sorry for him.”

“County Court bailiffs are very clearly overworked and understaffed. However, I have noticed a marked improvement in timescales in recent months.”

“Generally, the bailiffs in my area provide info and call if they have a query, which saves time. I have on occasion evicted in the East End London - it was very different in terms of delays and contact.”

“I have a good experience of dealing with Bromley County Court. The Bailiffs are very effective.”

“I have used them several times and always gone fairly well.”





About this research

The research was centred around an online survey which took place between May and July 2025

There were 679 responses to our survey. They ranged from landlords with just a single property to property agents and solicitors who represent landlords and organisations that own and rent out hundreds of residential properties across the country.

Collectively, they represent landlords of over 52,000 rental properties in England and Wales.

Respondents were asked for their experiences of using the County Court and High Court enforcement systems.

Where national averages are quoted, these include London figures.

About the HCEOA

The High Court Enforcement Officers Association represents members across England and Wales, who over the last three years received 443,231 Writs, collecting just under £340 million in outstanding judgment debt on behalf of businesses and individuals.



High Court Enforcement
Officers Association

www.hceoa.org.uk

Suite S31, Northwich Business Centre, Meadow Street, Northwich, Cheshire CW9 5BF