



**DEBT RECOVERY
SERVICES**

GRB Solicitors Limited

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Debt Recovery

Credit Control

Any credit control system is a necessary drain on your most valuable resources such as time, energy, staff and money.

To help you make better use of your resources, we offer a fast, efficient and inexpensive Debt Recovery Service which gives you the best possible prospect of a successful recovery.

The System

We use a strictly controlled timetable and diary system to provide a quick and effective response to your debt recovery needs – whatever the size of the debt and whatever the size of your business. As a result we are able to keep our costs low so that you obtain the full benefits of the system at the least possible expense.

All of our Debt Recovery cases commence with an Initial Payment Demand Letter which provides the debtor with notice that legal proceedings will be instigated in the event that payment is not made within 14 days. Such letters often can result in full payment being received, however, in the event that a satisfactory response is not received we will revert to you for your instructions.

Deciding to Proceed

There is often little point in pursuing a debt if the debtor has little or no income or assets to discharge the debt. Your prospects of recovering bad debts are at their best when you have complete and accurate information on the debtor. We therefore enclose details of the information we ideally require in any particular case and would be happy to meet with you and your staff to discuss your case before issuing proceedings.

We can also requisition the necessary Bankruptcy, Company and Enforcement of Judgments Office Searches if requested so as to help you to make an informed decision as to whether the circumstances warrant issuing proceedings.

Enforcement Proceedings

Once a Decree is obtained against a debtor it may be necessary to refer the matter to the Enforcement of Judgments Office (EJO). The EJO is a centralised statutory body empowered to recover or enforce judgments of the courts. The EJO has wide reaching powers, including the authority to seize assets belonging to the debtor, make an Attachment of Earnings Order, an Instalment Order, and/or impose an Order Charging Land on any property or land owned by the debtor.

Upon receipt of an Application for Full Enforcement together with the requisite fee, the EJO will request that the debtor attend for interview to ascertain their current financial status and produce a "Means Report". If the debtor fails to attend, the EJO can issue a Warrant for his/her Arrest. Depending on the contents of the Means Report, the EJO will, where possible, implement the appropriate measures in an effort to secure payment. It is important to note, however, that the EJO cannot guarantee recovery, especially if the Debtor has other judgments registered against them in priority to yours, or if they have insufficient income or assets to make payment. Please also note that the use of these powers may take a considerable period of time.

Costs

Where possible we attempt to recover all or part of your legal costs direct from the debtor. Outlay will generally be added to the debt by the Court when issuing a Decree or subsequently by the Enforcement of Judgments Office. Please note that no legal costs are recoverable in a Small Claims Action. Please note that it is our policy to issue our bill of costs on receipt of payment from the debtor or on lodgement of an application to Enforcement of Judgments Office. In the event that we are instructed to continue with EJO proceedings further charges will be incurred and billed separately.

We therefore take this opportunity to enclose details of our standard professional charges for dealing with all debt recovery instructions which, again, we would be pleased to discuss with you more fully if required.

Further Information

If you are interested in our Debt Recovery Service and would wish to discuss your requirements more fully, please contact our office:

Telephone: 028 6633 0188

Email: info@grbsolicitors.com

Glossary of Common Terms

- Small Claims Action - A court action in which the sum due is £3,000 or less
- County Court Action - A court action in which the sum due is in excess of £3,000 but not more than £30,000
- High Court Action - A court action where the sum due exceeds £30,000
- Civil Bill - A court document initiating a County Court Action
- Writ of Summons - A court document initiating a High Court Action
- Decree - The court judgment
- Enforcement of Judgments Office (EJO) - A centralised statutory body empowered to recover or enforce judgments of the courts.
- Attachment of Earnings Order - Freezing of part of the debtor's wages each week, month etc combined with a transfer of the arrested funds by the debtor's employer direct to the creditor. Only available after Decree obtained.
- Instalment Order - Order for the payment by the debtor directly to creditor on a weekly or monthly basis. A debtor may be committed to prison for failure to maintain payments. Only available after Decree obtained.
- Order Charging Land - Security of the debt in favour of the creditor over land/property owned by the debtor.
- Seizure Order - The process of identifying goods owned by the debtor for possible sale in reduction of the debt. Only available after Decree Obtained.
- Order Appointing Receiver - The intervention of monies due to the debtor from a third party such as an insurance claim or the proceeds of a house sale.
- Attachment of Debt Order - The freezing of a debtor's bank account to secure payment of the debt.
- Certificate of Unenforceability - Issued by the EJO when it appears that the debt cannot be enforced within a reasonable time or when there are no chargeable assets held by the debtor.

Standard Fees

Undefended Actions

Initial Payment Demand Letters	
up to £499.99	£30.00
£500.00 and over	£50.00
Small Claims Actions	
up to £499.99	£75.00
from £500.00 to £999.99	£125.00
from £1,000.00 to £1,499.99	£150.00
from £1,500.00 to £1,999.99	£175.00
from £2,000.00 to £3,000.00	£200.00
Enforcement of Judgments Office	
Preparation and Lodgment of Notice of Intention to Enforce	£20.00
Preparation and Lodgment of Enforcement Application	£35.00

Notes to Standard Fees

1. Court fees, process server fees and all other outlays are payable over and above the Standard Fees.
2. VAT is payable over and above the Standard Fees.
3. Where additional correspondence, telephone calls etc. are required, at our discretion, each individual item shall be charged at a fee of £12.50 plus VAT.
4. Professional fees for County Court and High Court Actions are subject to the scale of the debt and the time engaged in recovering same. Please do not hesitate to contact our office to discuss our fees further.
5. Where any Court action raised is contested, agreement will be reached with you on the fees to be charged thereafter.
6. Where a debtor offers or is ordered to pay a debt by instalments, it is preferable that you receive and monitor payments personally. Where you wish for us to attend to collection, additional fees will be charged.
7. Charges are the same irrespective of success.

Standard Outlay

Undefended Actions

(as at 1st April 2017)

Court Fees:	
Small Claims where debt:-	
does not exceed £300.00	£33.00
exceeds £300.00 but not £500.00	£55.00
exceeds £500.00 but not £1,000.00	£77.00
exceeds £1,000.00 but not £3,000.00	£110.00
County Court actions – issuing a Civil Bill	
not exceeding £1,000.00	£165.00
exceeding £1,000.00 but not £5,000.00	£182.00
exceeding £5,000.00	£204.00
High Court actions – issuing a Writ of Summons	£220.00
exceeds £30,000.00	

Notes to Standard Outlay

1. County Court and High Court actions are likely to attract further outlay as a case progresses. Further details can be obtained from our office.
2. Where any County Court or High Court action raised is contested, it may be necessary for Counsel to be instructed. In the event of same we shall revert to you for your instructions.
3. Please note that if for any reason you are unsuccessful in the County Court or High Court you may be liable for the debtor's legal costs in addition to your own costs. Please do not hesitate to contact our office to discuss this issue further.
4. Enforcement of Judgments Office fees are subject to a scale fee according to the amount decreed. Certain EJO Orders may attract registration or service outlays. Further details can be obtained from our office.

Debtor Details

<p>Creditor's Name and Address: (Insert your business name) If a limited company, state address of both Registered Office and the place of business, if different.</p>	
<p>Debtor's Name and Address: Where an individual, a forename must be stated. If a sole trader, state both the Debtor's name and trading name. If a partnership, state both partnership address and partners' home addresses. If a limited company, state address of both Registered Office and the place of business, if different.</p>	
<p>Amount Due Per Invoices: Copy Invoices and Statements of Account must be enclosed.</p> <p>Payments to Account:</p> <p>Is Debtor a Private Consumer or Trading as a Business?</p> <p>Describe goods, services etc. supplied:</p>	<p>£</p> <p>£</p>
<p>Debtor's Bank Details:</p>	<p>Bank Name: Branch Address:</p> <p>A/c no: Sort Code:</p>
<p>Debtor's Employer's Details:</p>	<p>Employer's Name:</p> <p>Employer's Address:</p>
<p>Any Additional Information:</p>	

Please return this form together with all relevant correspondence, documentation, invoices, statements and any agreement signed by the debtor.