

# DEBT RECOVERY LITIGATION



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We provide a £100 + 20% VAT fixed fee advice appointment for 30 minutes where we can provide you with general advice on any potential claim that you may have against a business or individual, or any claim that you may be facing. If you decide to instruct us following this consultation we may be able to undertake that work for a fixed fee. Please see below for more details.

Our range of fixed fees for debts apply to claims that are undisputed. If the other party disputes your claim at any point, further work may be required.

## STAGE 1 – Letter before Action

Solicitor's letter to your debtor demanding immediate payment to avoid County Court proceedings and possible CCJ.

If your matter falls under the Pre-Action Protocol introduced on 1st October 2017 which applies to any business (including sole traders and public bodies) claiming payment of a debt from an individual (including a sole trader). We will send a letter of claim compliant with the protocol.

Where applicable we will also claim interest and compensation that you are entitled to in addition to the debt.

Debt Owed	Our Fee* (Non-protocol debts)	Our Fee* (Protocol debts)
Up to £1,000	£75 + 20% VAT	£100 + 20% VAT
£1,001 – £10,000	£150 + 20% VAT	£200 + 20% VAT
£10,001 +	£200 + 20% VAT	£300 + 20% VAT

*\*This fee will always be fixed and we do not charge commission on any amount we recover. If we are successful in recovering your debt at this stage the applicable fee above is the maximum you will pay. If you instruct us to do further work after the Letter before Action has been sent before moving to stage 2 then this will be charged on our hourly rate basis for which an estimate will be provided.*

## STAGE 2 – If the Debtor does not pay – Issuing Court Proceedings

**We will issue County Court proceedings against the Debtor who will receive papers from the Court informing them of the action. The Debtor will have 14 days to respond to the Court or settle the debt.**

If the debtor fails to respond or settle the debt then we will request Judgement in default at the same time requesting the Court fees and fixed recoverable costs that are allowable. At this stage we will send a further letter to the debtor informing them of the judgement and request immediate payment or face enforcement action. If the debtor fails to respond then we will discuss with you the most appropriate enforcement action (see Stage 3).

Debt Owed	Our Fee**	Court Fee	Recoverable from the debtor (Court fee & Fixed Costs)
Up to £1,000	£150 + 20% VAT	£35-70	£85-£140
£1,001 to £10,000	£200 + 20% VAT	£80-455	£160-£555
£10,001 to £100,000	£300 + 20% VAT	5% of Claim Value	Court Fee + £100.00

*\*\*Payment of our fees is not contingent on the debtor paying the debt. We can request that a County Court Judgment be awarded in undefended claims where the debtor admits your claim or fails to file an acknowledgement of service or defence. The above fees do not apply where the debtor files a defence or partial admission.*

## STAGE 3 – Enforcing your Debt

If the Debtor does not settle your debt during Stages 1 and 2 then we will seek to enforce your County Court judgment against the debtor to recover the monies owed to you.

We will advise you on the best enforcement method depending on the debtor's circumstances. There are several different enforcement options available. The table sets out our fees and costs of the different enforcement action. Where our costs are at an hourly rate we will provide you with an estimate at the outset.

*\*\*\*Payment of our fees is not contingent on the debtor paying the debt.*

Enforcement Action	Our Fee ***	Court Fee
Application for Writ of Control – High Court Bailiff	£120 + 20% VAT	£80 (no VAT) & Bailiffs Fee of £75 + 20% VAT (abortive fee) If successful these costs are recoverable from the debtor
Application for Order that the debtor attends court for questioning	£120 + 20% VAT	£135 (no VAT) to issue £120 (no VAT) to serve
Application for Attachment of Earnings Order	£120 + 20% VAT	£135 (no VAT)
Application for Third Party Debt Order	£500 + 20% VAT	£135 (no VAT)
Application for Charging Order on Debtors Property	Charged on hourly rate basis (estimate will be provided)	£135 (no VAT)

## ANY STAGE – Disputed/Defended Claim

**We have an experienced litigation team to advise you should your debtor defend your claim. The department is managed and supervised by Jennifer Carpenter, Solicitor and Managing Partner. Work may be undertaken by her or by Anton Bilinski, Fellow of the Institute of Legal Executives with over 8 years' experience.**

The hourly rates are charged in accordance with our terms and conditions of business. The hourly rate is subject to the person undertaking the work. A copy of the terms and conditions can be provided upon request or will be provided to you at the point of your instruction.

### See what our clients say about us:

*“Anton Bilinski advised me on a debt matter in June and at all times gave sound advice that was clear and easy to understand. Throughout the matter we were dealt with in a friendly and approachable way by all staff. Mr Bilinski was approachable and very professional. We would recommend Adams Harrison Solicitors to others.”*



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The firm's origins go back to 1834.

With such a long and established reputation to live up to, everyone at Adams Harrison is fully committed to putting their expertise and experience at your disposal.

