



## **DEBT RECOVERY**

## **CHARGES & COSTS**

Please Note: This leaflet should be read in conjunction with our Guide to Debt Recovery

### **(1) PRE-ACTION**

These Fees Apply before the issue of Court Proceedings.

**‘NO RECOVERY = NO FEE’**

#### **Recovery Charge**

First £500.00 = 10% of amount recovered  
Balance over £500.00 = 5% of amount recovered

### **(2) COURT PROCEEDINGS**

If pre-action fail to recover all or part of the debt, and you instruct us to issue a claim, the following fee structure will apply<sup>1</sup>

#### **Pre-Judgment**

<u>Amount Claimed</u>	<u>Our Fee<sup>2</sup></u>	<u>Court Fee<sup>3</sup></u>
Up to £300.00	£50	£35
£300.01 - £500	£50	£50
£500.01 - £1,000	£70	£70
£1,000.01 - £1,500	£80	£80
£1,500.01 - £3,000	£80	£95
£3,000.01 - £5,000	£80	£120
£5,000.01 – £15,000	£100	£245

<sup>1</sup> All Court Fees must be paid by you in full in advance before we will be able to Issue Proceedings

<sup>2</sup> Our fees are in accordance with part 45.2 of the Civil Procedure Rules (CPR) and are fixed. Upon the commencement of a claim will be added to the amount owed along with the court fee. These are charged in conjunction with the percentage amount specified above.

<sup>3</sup> If no money is recovered from the Debtor, you remain liable to pay our fees in full. The Court Fee is also non-refundable should the Debtor make no payment.

## **Judgment Fees**

If it becomes necessary to enter Judgment against the Debtor then the following fee structure will apply in addition to our pre-Judgment fees and Court fees.

Court Fees to be advised<sup>4</sup>

	<u>Judgment is less than £5000<sup>5</sup></u>	<u>Judgment is more than £5000</u>
In Default of service of claim form being acknowledged	£22	£30
In Default of a defence being entered	£25	£35
Where Debtor admits some or all of the money is owed or you accept the debtor's proposal for payment	£40	£55
Where Debtor admits some or all of the money is owed but the Court is decide upon the date/times of payment	£55	£70
Application for summary Judgment / Debtor's defence is struck out	£175	£210

### **(3) POST JUDGMENT / ENFORCEMENT FEES**

If payment in full is not received following Judgment being entered against the Debtor and you instruct us to enforce the Judgment then the following fees will apply. Again these fees are in addition to the pre-Judgment and Judgment fee and any Court fees which have already been incurred.

There are many ways to enforce a Judgment Debt. In order to chose the most suitable way to enforce your Judgment please speak with the fee earner who has care of your matter, so that you are fully aware of the cost, implications and likelihood of success.

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<sup>4</sup> If no money is recovered from the Debtor, you remain liable to pay our fees in full. The Court Fee is also non-refundable should the Debtor make no payment

<sup>5</sup> If no money is recovered from the Debtor, you remain liable to pay our fees in full. The Court Fee is also non-refundable should the Debtor make no payment. Again these fees are fixed by the CPR part 45.4A (table 3).

<u>Method of Enforcement</u>	<u>Our Fees<sup>6</sup></u>	<u>Court Fee</u>
Warrant of Execution (Bailiff)	£25 (only £2.25 is recoverable from the Debtor)	£100
Order that Debtor is to Attend Court for Questioning (attendance at questioning charged at hourly rate of £115 + VAT)	£50 (only £30 per hour is recoverable when attending court for questioning) NB. Personal service is required of the N39 form and separate fee for personal service (to be advised)	£50
Attachment of Earnings	£50 (only £8.50 is recoverable from the Debtor)	£100
Third Party Debt Order (attendance at final hearing charged at an hourly rate of £115 + VAT)	£200 (only £98.50 is recoverable from the Debtor)	£100
Charging Order (attendance at final hearing charged at hourly rate of £115 + VAT)	£300 (only £110 is recoverable from the Debtor) (plus Land Registry Fee and Office Copy Fee)	£100
Statutory Demand	£75 (plus fee for personal service – to be advised)	Nil

**PLEASE NOTE:**

- *VAT is charged on all of our Fees, even if fixed by the CPR. VAT is also charged on all disbursements. VAT is not charged on Court Fees*
- *Attendances at Court are not included in any of the above fees. If you would like us to represent you at court this will be charged at an hourly rate of £115 + VAT.*
- *If the Debtor files a defence or applies to set aside Judgment, your matter may be referred to our Litigation Department. We will discuss this with you if necessary.*
- *Some claims cannot be dealt with by our Debt Recovery Department. This may be due to their nature, complexity or monetary size. If not then it will be passed on to our Litigation Department to advise you separately, if you wish to continue to instruct us in the matter.*
- *You remain liable for payment of all of our fees whether or not recovery is made, but if recovery is made you will receive a contribution towards the fees owed as set out in the tables above.*

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<sup>6</sup> If no money is recovered from the Debtor, you remain liable to pay our fees in full. The Court Fee is also non-refundable should the Debtor make no payment