Obtaining a County Court Judgement and High Court Enforcement Order

The 4 Stages to obtain a Writ of Control for unpaid monies

If you know the Pre-Action Protocol has taken place, follow the below steps:

Stage 1 - Do you have a confirmed address for the debtor?
(If so, go to Stage 2)

We offer a 'no address, no fee' trace service for £75 plus vat. If we are unable to locate an address for the defendant there will be no charge.

What information do I need to give you to find this person?

We have found people with just a Name, but for best results provide as much information as you can, for example:

- Full Name - Previous Address - Date of Birth

We also offer an Enhanced Tracing Service, feel free to ask our team about this.

Pre-Action Protocol

Before starting a claim, the court expects you and the debtor/defendant to have tried to settle the dispute. This step is known as 'Pre-Action Protocol'. This involves you sending the defendant a letter/email before making the claim and providing sufficient information about the matter to allow them to understand your position and allow them a chance to respond.

We offer a service, where we can draft and serve the Pre-Action Protocol letter to the debtor on your behalf and issue a certificate of service.

Stage 2 – Applying for a County Court Judgement (CCJ) (If you have the CCJ go to Stage 3)

If the debt is under £100,000 and against no more than 2 people or organisations, then a good tool is **Money Claim Online**.

The fees for Money Claim Online:

Claim amount	Court Fee	Absolute Admin Fee
£500.00 to £1,000	£70	Plus £75 plus vat
£1,000.00 to £1,500	£80	
£1,500.00 to £3,000	£115	
£3,000.00 to £5,000	£205	
£5,000.00 to £10,000	£455	
£10,000.00 to £99,999.99	5% of the claim	
£100,000.00 and over	Can't claim online, we would recommend using a solicitor to assist you to take to court, then pass on to us once you have the court order	

Two options with Money Claim Online are:

Option 1:

We email you an instruction and fact-finding document, there is also a link to this form on our website. When you fill in this online instruction form, we will send you an invoice for the Money Claim Online fee with the admin fee of £75 plus vat. Once paid, we will then register the debt on Money Claim Online on your behalf.

Option 2:

You the claimant can go on the government website and apply to the court on Money Claim Online, the website will talk you through the process. www.moneyclaim.gov.uk Once you have the County Court Judgement (CCJ) you can pass this to us to transfer to High Court for Enforcement.

After 14 days from the issue date of the claim on Money Claim Online, if there is no dispute from the debtor/defendant we can then request the judgement and will be awarded the CCJ. If the debtor/defendant disputes the debt then you may be required to get all your evidence together and attend a court hearing where a Judge will review your case.

Stage 3 – Transferring from County Court to High Court

Once you have the County Court Judgement (CCJ) you can instruct Absolute Enforcement to escalate this to High Court for enforcement action. You can complete our online instruction form and upload the CCJ. We will review your case and send you the invoice for the transfer fee of £129.75, plus the £90+vat Enforcement Engagement fee. The Enforcement Engagement Fee is a one-off payment charged to the client upon taking on their case and is non-refundable.

After you pay these fees, the £129.75 and interest owed to you will be added to the debt amount for enforcement. We will then escalate your case to high court to issue a High Court Writ of Control which empowers us to enforce the debt for you. We should have this back from the court within 14 days. Please note different courts have different time scales to process the transfer.

Stage 4 – Enforcement of the High Court Writ of Control

Once we have the Writ of Control, we will send a Notice of Enforcement letter to the debtor/defendant requesting payment within 7 clear days. This allows the defendant to pay before the Enforcement Agents make a visit. After the 7 days have passed, we will send our Enforcement Agents to visit the debtor with the intention to remove and sell goods to clear the debt.

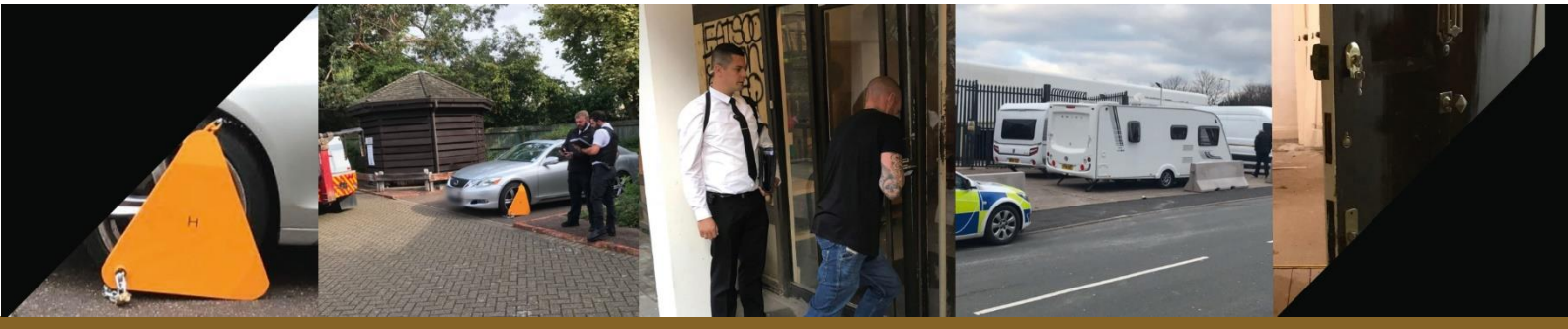
What does Absolute Enforcement charge for High Court Enforcement?

Stage 3		**Stage 4 - Enforcement of the High Court Writ of Control**		
CCJ transfer to a High Court Writ of Control		**Enforcement Fees**	**Disbursement Costs**	**Abortive Fee**
Paid upfront and added to the debt for collection. This fee is made up of the £77 court fee and the legal fee with vat	Enforcement Engagement Fee, one off payment is charged to the client upon taking on their case and is non-refundable.	Enforcement Fees, in accordance with the Taking Control of Goods (Fees) Regulations 2014, are charged directly to the debtor. It's important to note that under certain circumstances, such as a court order being overturned or a request for us to stand down after the enforcement process has started, these fees may be charged to the client/claimant. If the Claimant is VAT registered, the VAT on the enforcement fees are charged to the claimant. Full terms and conditions are on the instruction document.	Disbursement Costs encompass the necessary expenses incurred to successful enforcement on a case. These costs can include items such as locksmiths, removal trucks, specialist removal teams, and storage. If the debtor has not made the required payment and goods (items) need to be removed or further enforcement actions are necessary, we will contact the client/claimant to explain the situation and seek their decision on whether to proceed. If the client/claimant chooses to add the disbursement cost, it will need to be paid in advance and will be added to the debt. Once goods are sold this, after auctioneer's fee, will be the first cost to be paid back.	Abortive Fee is payable by the creditor/client if enforcement is unsuccessful, the fee is set out by the Ministry of Justice.
£129.75	**£90+vat**	**In almost all cases Enforcement Fees are not charged to the client/claimant.**	**Varies, but no cost until approved by Client/Claimant**	**£75+vat (only if the case is unsuccessful)**

Our team will keep you updated throughout the whole enforcement process.
Full terms and conditions are on the instruction document.

If you have any questions, please feel free to contact us:

info@absoluteenforcement.com **www.AbsoluteEnforcement.com** **0300 302 1010**



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High Court Enforcement
Commercial Rent Arrears Recovery
Forfeiture of Leases
Trespasser Removal (Travellers/Squatters)
Security Services
Tracing Service
Process Serving
Pre-Debt Service
Locksmith service

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