

# Debt recovery prices

At Amin Haque Solicitors, we also maintain transparency when dealing with our clients, in all the work we do. This is why we are proud to publish our debt recovery charges in accordance with the price transparency rules set out by our governing body, the Solicitors Regulation Authority.

This page sets out the costs for our commercial debt recovery work for claims up to the value of £100,000 against debtors located within England and Wales. Costs for debt claims above this value are charged on an hourly rate and are available on request.

The costs below apply where the claim is for unpaid invoices which are not disputed. If the other party disputes your claim at any point prior to issue of proceedings, we will discuss any further work required and provide revised costs – these costs could be on a fixed fee, hourly rate or other funding arrangement such as a damages based agreement or conditional fee agreement, depending on the circumstances of your case.

## Stage 1: Pre-action

1. Simple letter before action (LBA). A letter before action is the last letter you should send before commencing legal action to recover a debt. A final demand letter formally reminds and requests your client or customer one last time to make payment before you take legal action.
  - Company £35 plus VAT
  - Individual £55 plus VAT
2. Fully compliant Pre Action Protocol compliant letter.
  - Company £150 plus VAT
  - Individual £200 plus VAT

## Timescale

In our Letter Before Action, we normally require the debtor to pay within 7 or 14 days. We can produce these within 24 hours if all the information has been given to us at the point of instruction.

For fully compliant Pre Action Protocol compliant letters, the debtor has a minimum of 30 days to respond and this can be extended to up to 90 days in complex cases.

We can produce these within 24 – 48 hours depending on the level of complexity involved in the claim and the volume of accompanying documents. In very complex cases involving complex contractual and payment arrangements, this can take a bit longer.

## Stage 2: Issuing legal proceedings

We issue all debt recovery claims up to £100,000 via Money Claim Online (MCOL), the online court service for claimants and defendants. This offers our clients cheaper court fees than issuing in the normal county court.

The table below shows the MCOL court fees and our fixed, solicitors' costs, both of which are recoverable if the debtor then goes on to pay the claim without dispute. These costs include us completing and submitting the claim form and the particulars of claim.

Claim amount	MCOL court fee	Amin Haque Solicitors Fee (plus VAT)	Recoverable Fees
Up to £300	£25	£100	£75

<b>£300 - £500</b>	£35	£100	£85
<b>£501 - £1,000</b>	£60	£145	£130
<b>£1,001 - £1,500</b>	£70	£160	£150
<b>£1,501 - £3,000</b>	£105	£175	£185
<b>£3,001 - £5,000</b>	£185	£190	£265
<b>£5,001 - £10,000</b>	£410	£220	£510
<b>£10,001 - £25,000</b>	4.5% of the value of the claim	£280	4.5% of the value of the claim + £100
<b>£25,001 – £50,000</b>	4.5% of the value of the claim	£350	4.5% of the value of the claim + £100
<b>£50,001 - £75,000</b>	4.5% of the value of the claim	£500	4.5% of the value of the claim + £100
<b>£75,001 – 100,000</b>	4.5% of the value of the claim	£600	4.5% of the value of the claim + £100

### Additional costs

For claims exceeding £10,000 and/or where a bespoke particulars of claim is required (for example, if the claim is particularly complex), we may charge an additional fee.

### Timescale

A defendant will have 14 days from receipt of the claim form and/or particulars of claim in which to respond by filing an acknowledgement of service or a defence. If the defendant does not respond in time you can request judgment for the claim debt in default. If an acknowledgement of service is filed within 14 days of service of the claim form, the defendant then has a further 14 days to file a defence to the claim. If the defendant then fails to file a defence, judgment can be entered in default.

## Stage 3: Requesting judgment

As mentioned above, if the debtor does not respond to your claim in time, you can request that the court orders them to pay and enters judgment against them. We will charge the following costs for this request. These costs are recoverable from the debtor should they then pay up.

Solicitors' costs to request judgment:

Claim amount	Amin Haque Solicitors Fee	Recoverable Costs
<b>£25 - £5,000</b>	£50 + VAT	£22 – £55
<b>£5,000 +</b>	£75 + VAT	£30 – £70

### Timescale

When a request for judgment is submitted via MCOL, it is normally processed within 48 hours.

## Stage 4: Enforcement of Judgment Against Debtors

If you successfully obtain judgment against the debtor, you can instruct High Court Enforcement Officers (the HCEO) to try and enforce the judgment and recover payment.

Our fee to instruct HCEO	Court fee for judgement to be transferred to High Court	Total
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<b>£100 plus VAT</b>	£66	£166 + VAT for solicitors' costs
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## Additional costs

If the debtor is unable to pay the judgment and the HCEO cannot enforce, you will be required to pay the HCEO an abortive fee of £75 + VAT.

If it is necessary to correspond or otherwise liaise with the HCEO regarding the instruction, additional charges may apply which will be based on the hourly rate of the solicitor conducting your matter.

## Timescale

Once the HCEO has been instructed, they will apply to transfer the judgment to the High Court. This can take 4-8 weeks subject to the court's availability. The HCEO will then send a notice of enforcement to the debtor giving them seven days to pay. If the debtor fails to pay within this timeframe, an enforcement officer will be sent to attend their premises to try and make a recovery.

# Additional services

## (A) Statutory demand against companies or individuals

A statutory demand is not in itself a court process but is a formal demand for payment which must be taken seriously and can be used as a precursor to insolvency-based proceedings, such as a winding up petition against a company or bankruptcy proceedings against an individual / sole trader.

A statutory demand should only be used in circumstances where the underlying debt is not genuinely disputed, for example, if the debt is admitted or if there is a judgment for it.

Solicitors' costs:

<b>Solicitors' costs for preparation of a fully bespoke statutory demand</b>	<b>Process server's fee (cost depends on location of debtor)</b>
<b>£500 plus VAT</b>	£100 - £150

## Timescales

Statutory demands are normally served within 48 hours against companies and partnerships. They can take longer to serve against individuals as it can be harder to locate individuals. However, we act with trusted process servers who are very good at locating their subjects.

## (B) Winding-up petition against companies

Provided the debt is not subject to a genuine dispute or can be extinguished by a valid cross-claim by the debtor, it may be appropriate to present a winding-up petition against the company owing the debt. Winding-up petitions can also be used where the debt is based on a court judgment which has not been set aside, appealed or based on an expired statutory demand.

<b>Solicitors' costs for drafting petition and arranging for issuing and service</b>	<b>Disbursements (mandatory costs)</b>
<b>£750 plus VAT</b>	Court fee £280 Official Receiver's deposit* £1,600 Process Server's fee £150

\*If the debtor pays the debt and the petition is withdrawn or dismissed, the Insolvency Service will

provide a refund of £1550 for this fee after a period of time.

### Timescales

It typically takes us 1-2 days from the date of instruction to draft and issue a petition and send it out to a process server for service.

### (C) Bankruptcy petition against individuals

If you have received a court judgment that has not been set aside or appealed; or if a statutory demand has been validly served and not set aside, a bankruptcy petition can be presented against an individual or sole trader debtor.

Solicitors' costs for drafting and issuing bankruptcy petition	Disbursements (mandatory costs)
<b>£750 plus VAT</b>	Court fee £280 Official Receiver's deposit £990 Process Server's fee £150

In the event that a bankruptcy order is not made at the hearing (for example the debt is paid or the petition withdrawn), you will receive back £940 of the original deposit paid.

### Timescales

It typically takes us 1-2 days from the date of instruction to draft and issue a petition and send it out to a process server for service.