Equivo

Recovering Commercial Debts and Unpaid Invoices

Whatever your business, whatever your industry, Equivo can provide an effective method of collecting your commercial debts.

As High Court Enforcement Officers authorised by the Ministry of Justice, we have the ability to seize and remove goods belonging to a debtor when enforcing County Court or High Court judgments.

We encourage our clients to consider the process of obtaining judgment against debtors as just another method in a credit control strategy. Because we do not deduct commissions from the amount we collect, using Equivo to help you obtain and enforce judgment can be a very effective, 'cost-neutral' method of recovery.

Using the courts to recover outstanding debts is sometimes considered a last resort but the process of obtaining judgment has become much more streamlined in recent years, especially with the development of HM Courts and Tribunals Service's Money Claim Online service. The service allows creditors (or their solicitors) to issue a claim by inputting details online. The court service then proceed to process the claim. Many judgments are obtained without the need for trial and extensive legal costs.

How do I start legal proceedings and how long will it take to get judgment?
Most solicitors specialising in Debt Recovery will operate a fixed-fee service for issuing proceedings and Equivo have several panel solicitors who accept work on this basis.

If you want to minimise outlay, you might want to consider using the government Money Claim Online service (www.moneyclaim.gov.uk) . Using the online service can save on court fees (for example, issuing a claim for £5,000 can cost as little as £100.00 if the claim is not defended).

If the claim is not defended, judgment can be obtained in as little as 14 days from the date of issue. You may find that the Defendant makes payment in the process and the debt is resolved.

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What happens if the debtor fails to make payment against the judgment?
In such cases, you will need to consider options for enforcing the judgment. As High Court Enforcement Officers, Equivo can obtain a writ on your behalf and seize and remove goods belonging to the Defendant if payment is not made.

When enforcing a judgment awarded in the County Court or obtained using the Money Claim online service, we will need to transfer the judgment to the High Court before we can enforce it. The transfer process can take anything up to two weeks, but may be quicker.

Once we have permission to enforce the judgment, we will obtain a High Court writ. This will usually take no more than 3-4 days. Once we have received the writ we will make an immediate attendance. If the debtor is able to make payment, we will usually be in a position to remit payment to our client within 2-3 weeks. If we are required to remove and sell goods or to enter into a payment arrangement, the process can take a little longer.

What will you do once instructed?
When enforcing a judgment by writ, we will visit the address you provide and will identify assets belonging to the Defendant. We will ask the Defendant to make payment of the judgment amount and our costs. If the Defendant is unable to make immediate payment we will enter into a payment arrangement and, if the Defendant is unable to make an acceptable arrangement we will seize and remove assets for sale at auction.

How much will it cost?
Our fees are generally payable by the Defendant in accordance with The High Court Enforcement Officers Regulations (2004). The regulations allow us to charge our fees in addition to the judgment debt where we are successful.

There are costs associated with the writ (a fee of £80.00) is payable to HM Courts and Tribunal Service for sealing the writ) but these costs are recoverable from the Defendant.

How do I instruct Equivo?
All you need to do is simply fill in our online form by clicking the link below. For any questions, you can contact our team on **020 7788 8484**. Or for more information, visit our website at **www.equivo.com**.

INSTRUCT US