

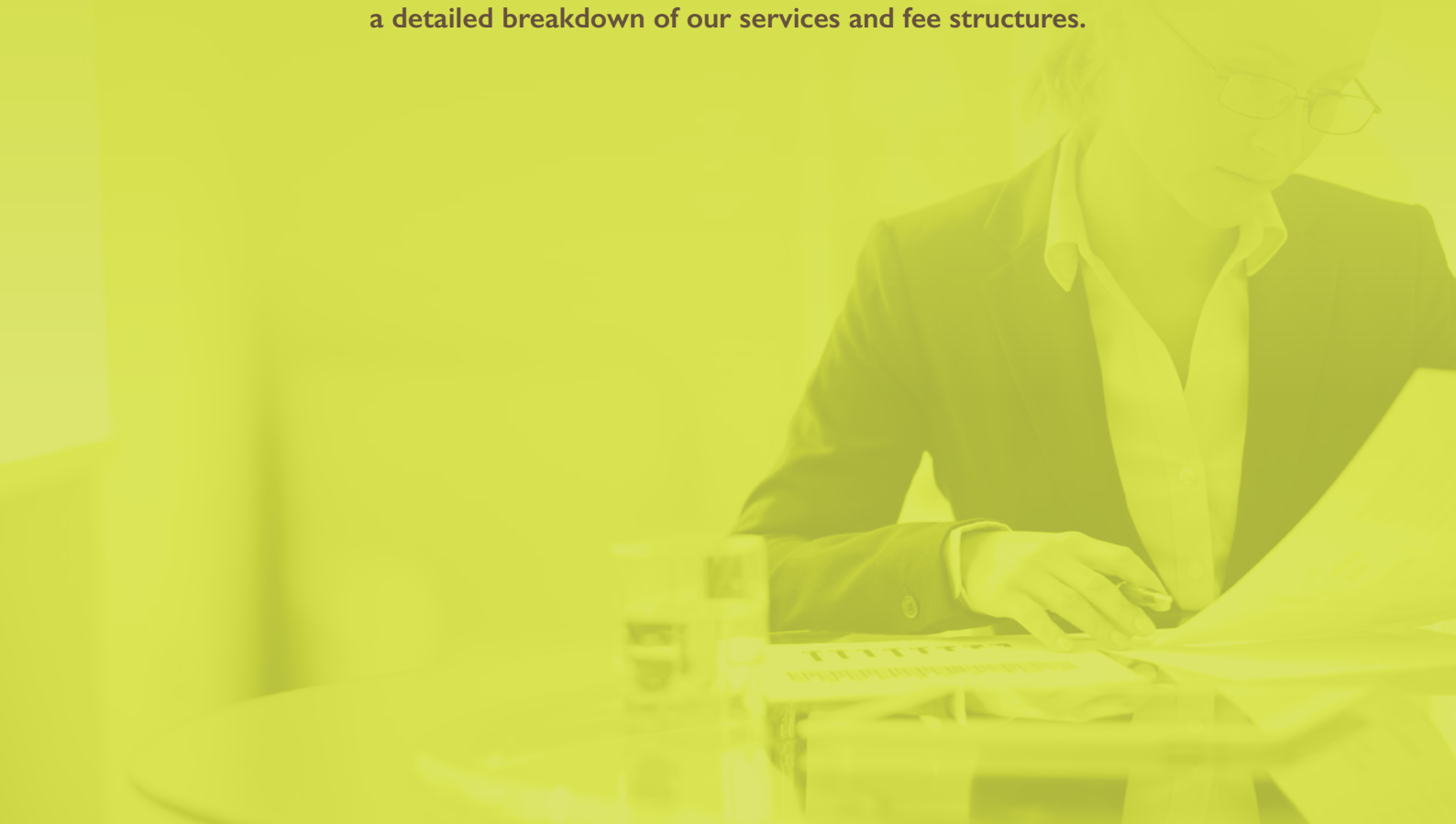
# Commercial Debt Recovery and Creditor Services

## **PRICE LIST**

**For your business to be successful, it is vital that clients, suppliers and other organisations you work with on a day-to-day basis, pay money that they owe you on time.**

Many businesses can become vulnerable to financial risk from bad debt and late paying clients. That's where Debenhams Ottawa can help.

Our commercial debt recovery specialists have extensive knowledge of recovery options that often provide fast and effective recovery of undisputed debt. Here is a detailed breakdown of our services and fee structures.



## Stage I: Pre-action

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### No win no fee debt collection

The service consists of sending your debtor a letter of claim and up to two further chaser letters if no response is received. There is no cost to you for this service unless a recovery is made by us, in which case a percentage of the recovery made will be payable. This no win no fee service is best suited to undefended debts with no substantive dispute.

#### This service includes:

- taking your instructions and reviewing documentation
- undertaking a Companies House check
- sending a letter of claim and two further chaser letters
- receiving payment and sending on to you.

Our contingent fees are between 2-25% depending on the level and age of the debt. Once payment is received our fees are payable at the agreed percentage whether payment is made to us or directly to you.

The fees do not include reviewing and responding to the debtor's response to any pre-action letter unless the debt remains undefended. If the debt is defended, we can provide a fee estimate for the next steps should you require this advice.

An administration fee of £120 plus VAT at 20% is payable to us should you withdraw your instruction within 60 days of sending the letter of claim, or if you require advice on next steps if a recovery is not made after the letter of claim and follow up letters have been sent.

The availability of this option is at our discretion and subject to a risk assessment on a case-by-case basis.



### Fixed fee debt collection – letters of claim

We charge a fixed fee for standard letters of claim of £100 plus VAT at 20%. This includes our costs for drafting the letter and claiming statutory interest and compensation. It does not include any advice on the merits of the claim, the provision of management information or any follow up work.

The standard letter of claim requests that payment be sent to you.

If we receive a response disputing the debt, we can advise on the merits of the proposed defence and a strategy moving forward. The cost of this is based on a time spent basis.



## Stage 2: Court action

### Issue of proceedings

If payment of the debt due is not made, your next option will be to consider issuing court proceedings. This will be allocated to a track, based on the quantum claimed:

Track	Quantum claimed
Small claims track	Up to £10,000 plus VAT at 20%
Fast-track	£10,001 - £25,000 plus VAT at 20%
Multi-track	£25,001 and above* plus VAT at 20%

*\*Claims may be allocated to a different track. This is at the court's discretion.*

### Estimated small claims track service

Stage of proceedings and scope of work	Estimated fee	Disbursements
<b>Draft and issue proceedings</b> – preparing claim form and particulars of claim, considering defence if received	£500 plus VAT at 20%	Court issue fee
<b>Directions questionnaire</b> – preparing small claims DQ form and arranging to file and serve	£200 plus VAT at 20%	
<b>Disclosure and witness statement</b> – assuming one witness statement and documents limited to one lever arch	£1,500 plus VAT at 20%	
<b>Preparation for trial</b> – including preparation of any trial bundle and instructions to counsel	£1,250 plus VAT at 20%	Counsel's fee
<b>Mediation and offers of settlement</b> – assuming small claims mediation service used and any offers of settlement limited to offer and response	£1,000 plus VAT at 20%	Mediator's fee

## Estimated fast-track service

Stage of proceedings and scope of work	Estimated fee	Disbursements
<b>Advice on merits</b> – reviewing documents and advising on merits of claim and commercial strategy	£1,500 plus VAT at 20%	
<b>Draft and issue proceedings</b> – preparing claim form and particulars of claim. Assuming no input required from counsel. Consider defence is received. Does not include for a reply	£1,750 plus VAT at 20%	Court fee
<b>Directions questionnaire and attendance at Case Management Conference (CMC)</b> – completing questionnaire, costs budget (if necessary), draft directions. Trying to agree directions and preparation for CMC including bundle and instructions to counsel. Does not include attendance at CMC	£1,750 plus VAT at 20%	Counsel's fee
<b>Disclosure</b> – assuming documents limited to one lever arch	£2,500 plus VAT at 20%	
<b>Witness statements</b> - assuming one witness. Includes proofing session with witness, preparing draft statement and follow up meeting, reviewing and advising on other side's witness statement	£3,000 plus VAT at 20%	
<b>Preparation for trial</b> – including preparation of trial bundle and instructions to counsel	£2,500 plus VAT at 20%	
<b>Attendance at trial</b> – assuming attendance at a one day trial	£2,000 plus VAT at 20%	Counsel's fee
<b>Mediation</b> – preparing for and attending a one day mediation, including mediation statement and considering other side's statement	£3,250 plus VAT at 20%	Mediator's fee
<b>Settlement negotiations</b> - including Part 36 Offer or Calderbank offer and considering response. Will include further correspondence provided not protracted	£1,250 plus VAT at 20%	

## Multi-track service

Where the case is allocated to the multi-track, we will provide you with a costs estimate or budget and we will update you on this regularly. Where the recoverability of the barrister's fees is fixed, we will endeavour to instruct barristers at a fee that is proportionate to this.

## Court fees payable on the issue of proceedings

On the issue of proceedings, you will need to pay a court fee – the table of fees set out below is correct as of July 2022, but are liable to change. Court fees are charged at cost (no VAT payable).

Value of the claim	Court fee on issue of proceedings
Up to £300.00	£35
£300.01 - £500	£50
£500.01 - £1,000	£70
£1,000.01 - £1,500	£80
£1,500.01 - £3,000	£115
£3,000.01 - £5,000	£205
£5,000.01 - £10,000	£455
£10,000.01 - £15,000	5% of the value of the claim
£15,000.01 - £50,000	5% of the value of the claim
£50,000.01 - £100,000	5% of the value of the claim
£100,00.01 - £150,000	5% of the value of the claim
£150,000.01 - £200,000	5% of the value of the claim
£200,000.01 +	£10,000



## Stage 3: Enforcement

### Estimated fees and disbursements for enforcement

The estimated fees below cover our costs for advising you on various methods of enforcement and taking the enforcement action that you decide upon. We will report to you on the progress of enforcement action where there is something to report, or a milestone has been reached. Our hourly rates apply to these services.

#### This does not include

- the cost of monitoring and collecting instalments
- any investigatory work to trace the debtor or the debtor's assets
- the provision of management information
- providing updates on the progress of enforcement action where there is nothing to report.

Action	Costs	Amount	Fixed solicitor's costs and recoverable costs
Third party debt order	Estimated fee	£200*	£98.50 or half the amount recovered if under £150
	Court fee	£119	£100
	Hearing fee	£150*	
Charging order	Estimated fee	£400*	£110
	Court fee	£119	£100
	Official copies	£3	£3
	Land Registry	£20	
	Advocacy fee	£155*	
Attachment of earnings order	Estimated fee	£100*†	£8.50
	Court fee	£119	£100
Order to obtain information	Fixed fee	£200*	£15 or amount to be decided by the court
	Court fee	£59	£100
	Agents service fee	£100+	
Warrant of execution – county court bailiff	Estimated fee	£100*†	£2.25
	Court fee	£83	£100
Writ of control – High Court enforcement officers	Estimated fee	£200*†	£51.75
	Court fee	£71	£66
	Compliance (abortive) fee	£75*	

\* plus VAT at 20%

+ estimated and may vary dependant on speed of service and number of abortive attempts at service

† collection commission applies and the cost excludes investigations

## Investigations and asset tracing

Our investigation and asset tracing service helps you choose the right form of enforcement to use which can maximise the prospects of recovering the debt. We use a variety of databases in-house as well as specialist tracing agencies and enquiry agents to ascertain information to be used in the enforcement process. We may also carry out investigation services to help establish the legal entity from whom the debt is owed if you have not been able to provide us with this information.

Our hourly rates apply to investigation work and we will provide a cost estimate or cost budget and guidance on the cost benefit of the work. We also offer a fixed fee tracker report which includes the cost of the report and enforcement advice that we give. The costs of typical investigation reports and enquiries are set out below.

Investigation service	Amount
No Trace No Fee search	£50*+
Full enquiry agents report	£150*+

\* plus VAT at 20%  
+ estimated costs



# Insolvency proceedings

Bankruptcy proceedings can only be issued if the debt is greater than £5,000.

Insolvency proceedings against a company in the form of a winding up petition can be used where the debt owed is over £750 and can start without the need to obtain a judgement. It should only be used for debts with no substantive dispute, and where there is no cross or counterclaim that would reduce the level of the debt to below the commencement threshold. Our hourly rates apply to insolvency proceedings.

The typical costs of bankruptcy and insolvency proceedings are set out below.

## Bankruptcy

Action	Expenses	Amount
Statutory demand (undefended)	Estimated costs	£250*
	Process servers fee	£130* (next day)
Bankruptcy petition (undefended)	Estimated costs	£1,500*+
	Court fee on issue	£302
	Search fee on issue	£45
	Official receivers deposit	£1,500
	Process servers fee	£130*+ (next day)
	London agent's filing fees	£90*
	Advocacy agents fee	£150*

## Winding up

Action	Expenses	Amount
Statutory demand (undefended)	Estimated costs	£250*
	Process Servers fee	£130* (next day)
Winding up petitions (undefended)	Estimated costs (undefended)	£1,500*+
	Court fee on issue	£302
	Search fee on issue	£12
	Official receivers deposit	£2,600
	Process servers fees	£130* (next day)
	Statutory advertisement	£90*
	London agents filing fees	£40*
	Advocacy agents fees	£130*

\* plus VAT at 20%  
+ estimated costs

If a bankruptcy or winding up order is obtained, we can help you appoint an insolvency practitioner to assist in realising assets for the benefit of creditors. This may include investigations into the conduct of the bankrupt or company. Our hourly rates apply to time spent liaising on your behalf with an insolvency practitioner or the official receiver. An insolvency practitioner will not make a charge to you in these circumstances.



# DEBENHAMS OTTAWAY

## SOLICITORS

For more information about how our commercial debt recovery and creditor services can help your business recover money it is owed, please contact



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