



Service Charge Recovery: Fixed Fee Scheme

This scheme is for the recovery of unpaid service charges payable under long leases.

If a lessee files a defence or contests whether the service charge is payable the claim will fall outside of the fixed fee scheme and any additional work required will be charged at a standard hourly rate of between £215 to £275 per hour depending on the legal advisor assisting.

The fixed fees quoted are for a combined total not exceeding 5 letters, emails or telephone calls in each stage of work. Any additional communication, whether by telephone, email or post, will be chargeable on a time spent basis at our standard hourly rate.

All costs are exclusive of disbursements and VAT which will be added at the appropriate current rate.

Acceptance of Instructions

£200

A condition of an instruction being accepted into the fixed fee scheme is that all relevant paperwork is provided at the outset and at the time of instruction. The relevant paperwork includes:-

- a copy of the lease for the relevant property
- an accurate up to date service charge statement
- a copy of any correspondence/demands sent to the lessee regarding the arrears
- a copy of any Section 20 notices served

Upon accepting an instruction we will immediately:

- check the paperwork
- obtain a copy of the lease from the Land Registry if one is not provided*
- highlight any issues or concerns regarding the arrears and demands served
- confirm whether legal costs and interest are recoverable from the lessee

* this will incur an additional fee which will be charged to you as a disbursement and will be payable immediately

Registered Office: 15 Hyde Gardens, Eastbourne, BN21 4PR **Website:** www.sussexlegalconsultants.co.uk

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Send Letter Before Action**£100**

If necessary and/or appropriate we will prepare and serve a letter before action providing 7 or 30 days' notice that proceedings will be issued in the County Court for non-payment

Issue Debt Recovery Proceedings**£400**

After the expiry of Letter Before Action (if required) we will prepare the debt recovery proceedings for issue in the County Court. We will require payment of the current court issue fee before issuing the claim. Proceedings will be prepared (and costs incurred) but will not be issued until payment of the issue fee is received.

Obtain Judgment in Default / Receive Defence**£95**

Following the issue of proceedings, if the lessee fails to respond within the time limits imposed by the Civil Procedure Rules (CPR) we will immediately request Judgment in Default of the sum claimed together with any recoverable interest and legal costs.

If a defence is filed by the lessee we will notify you and confirm whether the claim will be transferred to the First Tier Tribunal (FTT) or remain with the County Court due to the issues raised.

The claim will cease to be included within the scheme and any further costs will be charged at the standard hourly rates indicated.

Take Enforcement Action**£200**

If Judgment in Default is obtained we will immediately write to any mortgagee requesting payment of the Judgment Debt. If there is no mortgagee or the mortgagee refuses to pay the Judgment Debt we will advise you of your options and alternative methods of enforcing the Judgment.

The additional costs to be incurred in enforcing any judgment will depend upon the method of enforcement pursued. We will advise you of the options and confirm the costs to be incurred before any further action is taken.

Contact Us

For further information on the scheme please contact Steven Holt or Carolyn Stoneham at **enquiries@sussexlegalconsultants.co.uk** or by telephone to **01323 722288**.

The team is happy to discuss further discounts which may be available for multiple instructions and regular clients.