

# ENFORCEMENT GUIDE

*What to Do After Obtaining a County Court Judgment*

## Money Claim – Post-Judgment

<b>Claimant:</b>	Tariq Mohammed
<b>Defendant:</b>	Sonia Shezadi
<b>Claim Amount:</b>	£3622.39

**Important Notice:** This guide provides general information only. It is NOT legal advice and does not constitute a substitute for advice from a regulated solicitor or legal professional. Enforcement options depend on your specific circumstances, the defendant's financial situation, and judicial decisions. Always consider taking independent legal advice before proceeding with enforcement action.

## Introduction

Congratulations on obtaining your County Court Judgment (CCJ). However, a judgment alone does not automatically result in payment. If the defendant does not pay voluntarily within the time specified by the court, you will need to take **enforcement action** to recover the money owed.

This guide explains the main enforcement methods available in England, the costs involved, and how to choose the most appropriate method based on your circumstances.

## Your Selected Enforcement Preferences

Based on your selections, you indicated interest in the following enforcement methods:

- **Charging Order** — security over property
- **Warrant of Control** — bailiff action
- **Attachment of Earnings** — deductions from wages

## Before You Start Enforcement

### Checklist Before Enforcement

- Wait at least **14 days** from the date judgment was entered before applying for enforcement
- Check if the defendant has requested time to pay or filed an appeal
- Gather information about the defendant's financial circumstances (employment, assets, bank details)
- Consider whether the defendant can actually pay — enforcement against someone with no assets or income may not be worthwhile
- Be prepared to pay court fees upfront (some are refundable from the defendant if enforcement is successful)

## Enforcement Methods

The main enforcement methods available after obtaining a CCJ are:

## **1. Attachment of Earnings Order**

**What it is:** An order requiring the defendant's employer to deduct regular amounts from their wages and pay them directly to you via the court.

### **When to use:**

- The defendant is **employed** (not self-employed)
- You know their employer's name and address
- The debt is for a consumer debt or rent arrears

### **Advantages:**

- Regular, automatic payments
- Relatively low cost
- High success rate if defendant is employed

### **Disadvantages:**

- Only works for employed defendants
- Cannot be used if defendant earns below a certain threshold
- Defendant can change jobs to avoid payment

**Court Fee:** £110 (as of 2024)

**How to apply:** Complete form N337 and submit to the court that issued the judgment

## **2. Warrant of Control (Bailiff Action)**

**What it is:** An order authorizing enforcement agents (bailiffs) to visit the defendant's address, seize goods, and sell them at auction to recover the debt.

### **When to use:**

- The defendant has **valuable possessions** that can be seized
- The claim amount is **£5,000 or less** (for County Court enforcement)
- You know the defendant's home or business address

### **Advantages:**

- Can be very effective if defendant has valuable goods
- Bailiffs handle the enforcement process
- Quick resolution possible

### **Disadvantages:**

- Many defendants have few or no valuable possessions
- Certain items cannot be seized (essential household items, tools of trade up to £1,350 value)
- Defendant can hide or remove goods
- Additional bailiff fees may apply

**Court Fee:** £77 for claims up to £600; £110 for claims over £600 (plus bailiff fees)

**How to apply:** Complete form N323 and submit to the court that issued the judgment

**Note — For debts over £5,000:** You need a **Writ of Control** enforced by High Court Enforcement Officers (HCEOs). This requires transferring your judgment to the High Court first (form N293A).

### **3. Third Party Debt Order (Bank Account Freeze)**

**What it is:** An order freezing money in the defendant's bank account or building society, then transferring it to you to satisfy the debt.

**When to use:**

- You know the defendant **has money in a bank account**
- You have the name and address of the defendant's bank or building society
- The defendant has not paid despite having funds available

**Advantages:**

- Very effective if defendant has sufficient funds in their account
- Immediate freezing of the account
- Can result in quick payment

**Disadvantages:**

- You need to identify the bank and branch
- Account may have insufficient funds
- Certain accounts are protected (e.g., joint accounts, some benefit payments)
- The bank may charge defendant an account freeze fee

**Court Fee:** £110

**How to apply:** Complete form N349 and provide evidence of the defendant's bank details

### **4. Charging Order on Property**

**What it is:** An order securing your debt against the defendant's property or land. If the property is sold, you get paid from the sale proceeds. You can also apply for an order for sale to force a sale.

**When to use:**

- The defendant **owns property or land**
- The debt is substantial (usually £1,000+)
- You are prepared to wait for payment until the property is sold

**Advantages:**

- Secures the debt against a valuable asset
- You will be paid when the property is sold or remortgaged
- Shows the defendant you are serious about enforcement

**Disadvantages:**

- Can take years before you receive payment
- Property may have existing mortgages or charges with priority
- Court rarely orders immediate sale unless debt is very large
- Requires Land Registry searches and additional legal steps

**Court Fee:** £110 for interim order; additional fee for final order

**How to apply:** Complete form N379 and provide evidence of the defendant's property ownership

### **5. Order to Obtain Information (Oral Examination)**

**What it is:** An order requiring the defendant to attend court and answer questions under oath about their finances, employment, assets, and ability to pay.

**When to use:**

- You don't know enough about the defendant's financial situation
- You want to identify which enforcement method is most appropriate
- The defendant has not responded to requests for payment

#### **Advantages:**

- Provides detailed information about the defendant's finances
- Helps you choose the best enforcement method
- Failure to attend court can result in arrest warrant

#### **Disadvantages:**

- Does not directly result in payment
- Defendant may lie or provide incomplete information
- Additional step before actual enforcement

**Court Fee:** £55

**How to apply:** Complete form N316 and submit to the court

## **Enforcement Fees and Costs**

Enforcement Method	Court Fee	Additional Costs	Recoverable?
Attachment of Earnings	£110	None	Yes (if successful)
Warrant of Control (up to £600)	£77	Bailiff fees (varies)	Partially
Warrant of Control (over £600)	£110	Bailiff fees (varies)	Partially
Third Party Debt Order	£110	None	Yes (if successful)
Charging Order	£110	Land Registry fees (£7)	Yes (when property sold)
Order to Obtain Information	£55	None	Yes

## **How to Choose the Right Enforcement Method**

### **1. Assess the defendant's situation**

Do they have a job? Property? Bank accounts? Assets? Start with an Order to Obtain Information if you're unsure.

### **2. Consider the debt amount**

For smaller debts (under £1,000), Attachment of Earnings or Warrant of Control are usually most appropriate.  
For larger debts, consider Charging Orders or High Court Enforcement.

### **3. Evaluate likelihood of success**

Don't spend money on enforcement if the defendant has no assets, income, or ability to pay. This is known as "throwing good money after bad."

### **4. Try multiple methods if necessary**

If one method fails, you can try another. For example, if Attachment of Earnings fails because the defendant is self-employed, try a Charging Order if they own property.

## **Next Steps**

### **Recommended Action Plan**

Based on your claim for **£3622.39** against Sonia Shezadi:

1. **Wait 14 days** from judgment to allow voluntary payment

- 2. Send a final demand letter** warning of enforcement action
- 3. If no payment:** Apply for Order to Obtain Information (form N316) to understand defendant's finances
- 4. Based on financial disclosure:** Choose the most appropriate enforcement method from the options above
- 5. Monitor and follow up:** Track enforcement progress and be prepared to try alternative methods if needed

## Important Warnings

**Do Not Harass the Defendant:** You must not harass, threaten, or take the law into your own hands. Always use official court enforcement procedures. Harassment can result in criminal charges and may undermine your legal position.

**Insolvency Risk:** If the defendant declares bankruptcy or enters into an Individual Voluntary Arrangement (IVA), enforcement action will be stayed (stopped). You will become an unsecured creditor in their insolvency proceedings and may only receive a small portion of the debt owed.

## Further Resources

- **GOV.UK Enforcement Guidance:**  
<https://www.gov.uk/make-court-claim-for-money/enforce-a-judgment>
- **Court Forms:**  
<https://www.gov.uk/government/collections/civil-and-family-court-forms>
- **Citizens Advice:**  
<https://www.citizensadvice.org.uk>
- **Money Claims Online (MCOL):**  
<https://www.moneyclaim.gov.uk>

*This guide is for information only and does not constitute legal advice. If you need legal advice, contact a solicitor.*

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**Landlord Heaven Money Claim Pack | England**

*This guide supports enforcement action following a County Court Judgment.*