

Housing Benefit & Council Tax Benefit



**Recovery of
overpayments**

Epping Forest District Council

What happens if you fail to repay an invoice or keep to a repayment agreement?

We may apply for a County Court Judgment. The costs involved will be added to your debt.

- **County Court Judgment**

Epping Forest District Council will apply for a County Court Judgment entry. This Judgment will mean that it will be difficult to obtain any type of credit in the future.

This method of recovery means that we do not have to arrange a court hearing where you would have been able to give your defence to the court. Once the Judgment has been entered this Authority can start enforcement action against you to recover the debt.

How is a County Court Judgment enforced?

- **Warrant of Execution**

The County Court Bailiffs will attend your property and ask you to repay the debt. They can seize and sell your goods to recover the amount of debt.

- **High Court Enforcement**

If your debt is over £600 it can be transferred to The High Court. An Enforcement Officer will then attend your property and ask you to repay the debt. They

can seize and sell your goods to recover the amount of debt. Interest is charged on the balance of the debt on a daily basis.

- Charging Order

If you own your property a charging order can be placed on any equity. We can force you to sell your property to repay the debt.

- Third Party Order

If you have any bank or building society accounts a Third Party Order is made to stop you taking money out of your account. The money in your account is used to repay the debt

- Attachment of Earnings

Money will be stopped from your wages to repay the debt.

Will I have to attend court?

You may have to attend court to explain your circumstances and why you have not paid the debt.

What happens to costs involved in these processes?

The cost of each process is added to your debt. That is why it is important that you contact us to discuss repayment before a County Court Judgment is applied for.

What happens if I make an agreement to repay the debt in instalments?

You will be asked to sign an agreement. Your level of repayments will be reviewed on a regular basis and you may be asked to increase them. If you default from an agreement and do not contact us we will proceed with enforcement action.

**It is in your best interest
to contact the
Overpayments Team
to arrange a suitable
method of repayment
before any further action
is taken**

Remember:-

Although Epping Forest District Council has a duty to recover overpaid Housing Benefit, each case is looked at on its own merits and a sympathetic approach is always taken in real hardship cases.

If you are experiencing difficulties in repaying an overpayment, please contact us to discuss a suitable solution.

**EPPING FOREST DISTRICT
COUNCIL
PO BOX 5455
BENEFITS DIVISION
EPPING
ESSEX
CM16 4DS**

Overpayments Officers:-

Tel: 01992 564293

Tel: 01992 564468

Fax : 01992 564296

Email :

overpayments@eppingforestdc.gov.uk

**The Finance reception area is open
for Benefit enquiries at the Civic
Offices -**

Mon - Thurs 9.00 am to 5.00 pm

Fri 9.00 am to 4.45 pm