

# The Entitlements Agency

Claims Management Services

**0800 612 28 04**

Chapel House, Chapel Street  
Congleton, Cheshire, CW12 4AB

Ref: Unenforceable loans

Dear Sir/Madam

Many loans taken out before April 2007 could be unenforceable. If this applies to your loan you could have 100% of the balance legally written off without affecting your credit file.

We will investigate whether you have a claim **free of charge**

If there are grounds for a claim we can then proceed under the Access to Justice Act and claim our fees back from your loan provider at the end. Therefore **you will not have to pay us for this service**

Please read the next page for details of the claim process and the answers to some frequently asked questions.

## What you need to do

- 1. Complete the fact find. ( one for each loan )**
- 2. Sign the authority for disclosure ( one for each loan)**
- 3. Include any credit/loan agreements you would like us to look at.**  
Photo copies are ok. We will request a copy form the lender if you cannot include
- 4. Return all paperwork to the address at the top of the page.**

Kind Regards

The Entitlements Agency

## **THE CLAIM PROCESS**

**1. Investigation** We will first refer your case to one of our panel solicitors who will check the credit agreement for flaws in the calculations which could deem it unenforceable. They will also see if the lender has an original copy of the agreement. (If the lender cannot provide one, the loan is unenforceable)

**2. Claim** If there are grounds for a claim then our solicitor will inform you. They will then apply to the court for a declaration of unenforceability.

## **QUESTIONS**

### **Will you charge me for this service?**

No. Our solicitors will claim their fees back from your loan provider once they have won your claim. They will then pay us a referral fee.

### **How long does a claim take?**

Usually between 11 and 12 months depending on the complexity of the claim.

### **Can I stop paying the lender?**

If our panel solicitor believes that you have a claim then they will probably advise you to stop paying the lender.

### **Does this affect my credit file?**

When your claim is successful all the history relating to the loan is removed from your credit file. Records of CCJs relating to the loan are removed.

### **What will the lender do about this?**

During the claim the lender should not contact you directly since all correspondence should be through our panel solicitors. However, if you do get contacted directly it could be classed as harassment and could actually help your claim.

### **Why is this only just happening now?**

In April 2007 the 1974 Consumer Credit Act was updated. Consumers now have the right to challenge credit agreements that are unfair.

### **Are my details and my claim safe with you?**

The Entitlements Agency Ltd is regulated by the Ministry of Justice in respect of claims management activities. We are also registered with the Information Commissioner as a Data Controller. This can be confirmed on the following government websites: [www.claimsregulation.gov.uk](http://www.claimsregulation.gov.uk) and [www.ico.gov.uk](http://www.ico.gov.uk)

## FACT FIND QUESTIONNAIRE

**CLIENT NAME**  
**ADDRESS**  
**PHONE NUMBER 1** *(insert if blank)*  
**PHONE NUMBER 2** *(insert if blank)*  
**BEST TIME TO CONTACT YOU?**  
*(please insert)*


### DETAILS OF LOAN

**IMPORTANT DECLARATION:**

I  DO  DO NOT (PLEASE CIRCLE AS APPROPRIATE) HAVE A COPY OF THE LOAN AGREEMENT.

.....  
**(PLEASE SIGN ABOVE TO CONFIRM THE DECLARATION)**

If you do have a copy, please send it to us attached to this questionnaire. If you do not have a copy, don't worry. We can still investigate your claim. In either case, please answer the below questions as fully as possible

Name and address of lender <i>(please insert)</i>			
Loan / account number <i>(please insert)</i>			
Is the loan a fixed term loan or hire purchase agreement? <i>(please circle)</i>	Fixed Term	Hire purchase	
What was the purpose of the loan? <i>(please circle)</i>	Vehicle purchase	Cash	Other
If "other" please specify			
Is the loan in joint names? <i>(please circle)</i>	YES	NO	
If joint, please insert name and current address of the other party to the loan			
How much was the initial loan amount?	J		
Is there 9 months or more remaining under your loan? <i>(please circle)</i>	YES	NO	
Was the loan taken out before 6 April 2007?	YES	NO	

<b>(please circle)</b>			
<b>Who arranged the loan for you? (please circle)</b>	<b>Bank</b>	<b>Broker</b>	<b>Don't know</b>
<b>Have you entered into an IVA or Debt Management Programme? (please circle)</b>		<b>YES</b>	<b>NO</b>
<b>Did you take out either an ASU or PPI policy alongside the loan? (please circle)</b>	<b>YES</b>	<b>NO</b>	<b>DON'T KNOW</b>
<b>If YES, how much was the PPI / ASU premium?</b>		<b>J</b>	<b>DON'T KNOW</b>
<b>Was the ASU or PPI policy taken out optionally or were you under the impression that you had to take the policy out in order to obtain the loan? (please circle)</b>		<b>OPTIONAL</b>	<b>HAD TO TAKE OUT</b>
<b>Have you ever made a claim under the policy?</b>		<b>YES</b>	<b>NO</b>

**HELP US TO HELP YOU. IF AN E\_MAIL ADDRESS IS SHOWN BELOW, PLEASE CONFIRM THAT IT IS YOUR CORRECT ADDRESS AND THAT YOU CONSENT TO OUR CONTACTING YOU BY E\_MAIL BY TICKING THE BOX NEXT TO IT.**

**IF THERE IS NO E\_MAIL ADDRESS IN THE BOX, PLEASE INSERT YOUR E\_MAIL ADDRESS AND THAT YOU CONSENT TO OUR CONTACTING YOU BY E\_MAIL BY TICKING THE BOX NEXT TO IT.**



**SIGNED:.....**

**DATED:.....**

**Authority for Disclosure**

I, \_\_\_\_\_, (date of birth \_\_\_\_\_ )  
of \_\_\_\_\_

hereby authorise the release of any information and documentation which may be requested to Keith Park Solicitors of Barrow House, Barrow Street, St Helens, WA10 1RF in connection with my Consumer Credit Act loan and / or Credit Card Agreement and/or ASU insurance policy with yourselves.

Furthermore, I hereby confirm that Keith Park Solicitors are instructed upon my behalf to investigate the provision of my Consumer Credit Act loan and/or Credit Card Agreement and / or the provision of an ASU insurance policy.

Kindly contact only my authorised legal representatives and assist them with any requests for my personal documentation.

Dated .....

Signed.....