

Title:

Bailiffs & Council Tax - Know Your Legal Rights

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Summary:

Many of us do not know how bailiffs work to collect arrears. Basically, bailiffs are private p

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Article Body:

Many of us do not know how bailiffs work to collect arrears. Basically, bailiffs are private p

Since October of 1998, the County Court ruled that bailiffs must carry a certificate with them

Since April of the same year, a process involving bailiffs and debts has also been at work. Th

DO I HAVE TO LET THE BAILIFFS IN?

One thing that you must know about bailiffs is that you do not have the responsibility to take

As a form of precaution, avoid the following scenarios:

- Do not open your doors to the bailiffs. Once you entertain them, they will have the power to
- Do not leave your doors and windows unlocked because bailiffs can easily take advantage of a
- Do not fall to any kind of trap. Bailiffs can make several bluffs like asking to use the toi
- Do not leave your valuables lying around. Bailiffs can easily take away anything valuable th
- Do not make transactions inside your home. If you have a certain amount to pay the bailiffs
- Do not sign anything that the bailiffs ask you to. The bailiffs do not have the right to mak

THE BAILIFFS HAVE ALREADY BEEN INSIDE MY HOME

If you allowed the bailiffs go inside your home at once, you are in for a more serious situati

WHAT THINGS ARE THE BAILIFFS ALLOWED TO TAKE?

Most of your valuables can be legally taken by the bailiffs except for the following:

- Anything that was rented or hired.
- Items or equipments that are necessary for your personal and professional use.
- Your basic daily needs such as clothing, bedding, and furniture.

You will notice that exemptions are not really item specific. The bailiffs may have different

CAN THE BAILIFFS TAKE THINGS WHICH ARE NOT MINE?

It has been clearly established by the law that the bailiffs can only take what are legally yo

Other things that bailiffs cannot take are the ones that are rented or hired. Make sure that y

WHAT IF I HIDE THINGS OR GIVE THEM AWAY?

It is legal to hide your valuables if the bailiffs have never been inside your home. Once they

BAILIFFS PROCEDURES

The good news is that bailiffs cannot break inside your home just like that. They are also cov

- Bailiffs must bring with them a written authorization or a certificate from the local council
- Bailiffs must hand you a copy of the "Enforcement Regulations" which contain information on
- Bailiffs must also bring with them a statement of charges that they can take with each visit
- Bailiffs must also bring with them a "Walking Possession" agreement duly signed by you. This

HOW DO I STOP THE BAILIFFS?

The most effective measure to stop the bailiffs from taking away your things is to make an arrangement with the council.

The bailiffs cannot send you to prison. If they fail to break into your home, their most appropriate action is to return to the council.

In some instances, the council may agree to exempt your case from bringing it to the bailiffs' attention.

HOW DO I COMPLAIN?

There are Enforcement Regulations that the bailiffs must adhere to. However, the National Standard of Practice (NSP) is not a law.

(www.dca.gov.uk/enforcement/agents02.htm).

The law concerning the bailiffs is complex but you can start learning it through by reading the Enforcement Regulations.

Since October 1998, the bailiffs need to act with a certificate at hand. This certificate to control the bailiffs' actions.

The bailiffs report directly to the council and it would be ideal to bring your case there. Or you can complain to the council.

BAILIFFS CHARGES

If the bailiffs are asking for excessive charges, you can use it as a case for complaint. You can also use it as a case for complaint.

Your common sense and your knowledge on local processes can also be useful in determining what is a reasonable charge.

Submit a written complaint to the council so they know how the bailiffs are illegally carrying out their duties.

USEFUL LINKS

The Secretary
 Association of Civil Enforcement Agencies
 Kensington House
 33 Imperial Square
 Cheltenham
 Glos
 Tel: 01242 241456
 Website: www.acea.org.uk

The Secretary
 Enforcement Services Association (ENSAS) (formally The Certificated Bailiffs Association)
 Ridgefield House
 14 John Dalton Street
 Manchester
 M2 6JR
 Tel: 0161 839 7225
 Website: www.bailiffs.org.uk

Local Government Ombudsman (England)
 Millbank Tower
 Millbank
 London SW1P 4QP
 Advice Line: 0845 602 1983
 Monday to Friday, 9.00 am - 4.30 pm
 Website: www.lgo.org.uk

Note: There are a total of three local government Ombudsman offices for England. You may check

Local Government Ombudsman (Wales)
Derwen House Court Road Bridgend
CF31 1BN
Tel: 01656 661 325
Website: www.ombudsman-wales.org

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