



## **Service Charge Recovery Cost Information**

Brady Solicitors (Bradys) work with many Managing Agents, Freeholders, Resident Management Companies assisting with non-payment of service charge amounts.

We will make an assessment as to whether arrears will meet our criteria for working within a Conditional Fee Arrangement (CFA) and if so Bradys will work on a Fixed Fee basis. If the scenario cannot be dealt with within a CFA, then Bradys will work within an Hourly Rate structure.

### **Service Charge Recovery**

#### **A) Letter before action (LBA) for standard service charge arrears**

£250 plus VAT and disbursements.

The disbursements will generally be £6.00 (no VAT) incurred in obtaining official copies of the title for the property in question. Where further titles are required, the disbursement costs may be higher than that stated above.

The LBA fixed fee includes sending the Letter, to land registry address and additional letters if required to correspondence address, and the property address if different. The fixed fee includes initial contact from the Leaseholder. Any further contact will be charged at the Hourly Rate.

#### **B) Issuing proceedings for a determination of a service charge debt**

This will vary depending on the amount of debt:

- Up to £750 debt – Fee will be £350 plus VAT and disbursements.
- £751 debt to £9999 debt - Fee will vary between £515 and £1730 plus VAT and disbursements.
- Over £10,000 debt – Fee will be £2,310 plus VAT and disbursements.

#### **The disbursements will generally be:**

- a) A fee of £6.00 (no VAT) incurred in obtaining office copies of the official copy of the relevant lease or transfer for the property in question and, where applicable, the superior lease. On occasion and where further titles are required, the disbursement costs may be higher than that stated above.
- (b) The Court fee relevant to the debt claimed. The Court fee will vary depending upon the level of the total amount of the debt subject to the claim (including to some extent the costs incurred to that date). The Court fee is set by the Court and the relevant scale can be found and confirmed by reference to the HM Courts and Tribunals website.

#### **The fixed fee assumes that:**

The address for service of proceedings is one within England or Wales and that postal service by the Court will amount to adequate service of the claim

The lease or transfer is of a format which is relatively standard and therefore does not require extra time or a more senior team member to deal with the case

There is no superior title/lease requires examination in preparation of the proceedings

Upon service of the claim form by the Court the full sum of the claim, including all and any fixed or claimed costs set out in the claim form are paid in full by electronic transfer to the correct account and correctly marked with the correct reference relevant to the case (all as detailed in the letter before action)

Any payment made by the debtor is paid to Brady Solicitors before expiry of the deadline period notified to the debtor by the Court on service of the claim form

No further action of any nature is required by Brady Solicitors in respect of the debt to which the claim relates.

### **C) Serving Judgment**

- £22 plus VAT (No disbursements)
- £50 Administration Fee plus VAT (No disbursements)

### **D) Drafting and serving a notice pursuant to section 146 Law of Property Act 1925**

- £495 plus VAT and disbursements

### **Hourly Fee Rates for Fee-Earners**

The fee-earning staff at Bradys are categorised based on role and seniority. The hourly rates charged by each fee-earner for all work on any matter outside of the fixed fee scales set out above are as shown below.

- **Director/Senior Solicitor: £310/Hour**
- **Senior Solicitor/Senior Legal Executive: £235/Hour**
- **Assistant Solicitor/Legal Executive: £180/Hour**
- **Trainee Solicitor/Paralegal: £190/Hour**
- **Legal Administrator: £150/Hour**

Hourly rates referred to in the table below are charged by units of 1/10 of an hour (1 unit = 6 minutes).

If a service charge debt does not meet the criteria for the fixed fee CFA based process, then Bradys can be instructed to recover the debt and the fee structure will be based on the Hourly rates outlined above. Disbursements will be billed in the same way and at the same level as the fixed fee process

If a service charge debt becomes defended we will charge on an hourly rate, rather than at a fixed fee basis. Our charges are calculated with reference to the time spent on the matter including advising, attending on you and others, dealing with papers, correspondence, telephone calls, advocacy and waiting time.