[Your Name]

[Your Address]

[Your Postcode]

[Date In Full]

[Debt Buyer Name]

[Address]

[Postcode]

Dear Sir/Madam,

Your Reference :

**VULNERABLE PERSON NOTICE**

I am writing to inform you, that I am classed as Vulnerable according to paragraph 77 of the Taking Control of Goods: National Standards 2014.

I am classed a vulnerable for the following reasons:

*[IN HERE YOU PUT FULL DETAILS OF WHY YOU ARE VULNERABLE WITH*

*THE DETAILS OF ANY ILLNESS, MEDICATION, TREATMENT, CLINICS ETC]*

Regulation 10(1) of the Taking Control of Goods Regulations 2013 states:-

10. (1) *The enforcement agent may not take control of goods of the debtor where*

* *(a) the debtor is a child;*
* *(b )a child or vulnerable person (whether more than one or a combination of both) is the only person present in the relevant or specified premises in which the goods are located; or*
* *(c) the goods are also premises in which a child or vulnerable person (whether more than one or a combination of both) is the only person present.*

Paragraphs 16 and 30 of the Taking Control of Goods: National Standards 2014 states:-

16. ‘*Should a debtor be identified as vulnerable, creditors should be prepared to take control of the case, at any time, if necessary*.’

30. ‘*Where enforcement agents have identified vulnerable debtors or situations, they should alert the creditor and ensure they act in accordance with all relevant legislation.’*

Paragraph 39 of the Taking Control of Goods: National Standards 2014 states ‘*Enforcement agencies must ensure that legislation restricting the enforcement activity to enforcement agents is complied with and the corresponding legislation is The Tribunals, Courts and Enforcement Act 2007, Schedule 12.*’

Paragraph 42 of the Taking Control of Goods: National Standards 2014 also states that:

*‘Enforcement agents should be trained to recognise vulnerable debtors, to alert creditors where they have identified such debtors and when to withdraw from such a situation.’*

Paragraphs 70 to 78 of the Taking Control of Goods: National Standards 2014 says *‘enforcement agents must withdraw from the property’*

Taking Control of Goods: National Standards 2014:- Vulnerable situations:

70. *‘Enforcement agents/agencies and creditors must recognise that they each have a role in ensuring that the vulnerable and socially excluded are protected and that the recovery process includes procedures agreed between the agent/agency and creditor about how such situations should be dealt with. The appropriate use of discretion is essential in every case and no amount of guidance could cover every situation. Therefore the agent has a duty to contact the creditor and report the circumstances in situations where there is evidence of a potential cause for concern.’*

71. *‘If necessary, the enforcement agent will advise the creditor if further action is appropriate. The exercise of appropriate discretion is needed, not only to protect the debtor, but also the enforcement agent who should avoid taking action which could lead to accusations of inappropriate behaviour.’*

72. *‘Enforcement agents must withdraw from domestic premises if the only person present is, or appears to be, under the age of 16 or is deemed to be vulnerable by the enforcement agent; they can ask when the debtor will be home - if appropriate.’*

73. ‘*Enforcement agents must withdraw without making enquiries if the only persons present are children who appear to be under the age of 12.’*

74. *‘A debtor may be considered vulnerable if, for reasons of age, health or disability they are unable to safeguard their personal welfare or the personal welfare of other members of the household.’*

75. ‘*The enforcement agent must be sure that the debtor or the person to whom they are entering into a controlled goods agreement understands the agreement and the consequences if the agreement is not complied with.’*

76. *‘Enforcement agents should be aware that vulnerability may not be immediately obvious.’*

77. *‘Some groups who might be vulnerable are listed below. However, this list is not exhaustive. Care should be taken to assess each situation on a case by case basis.’*

* *The elderly;*
* *People with a disability, including mental health diagnosis;*
* *The seriously ill;*
* *The recently bereaved;*
* *Single parent families;*
* *Pregnant women;*
* *Unemployed people; and,*
* *Those who have obvious difficulty in understanding, speaking or reading English.*

78. ‘*Wherever possible, enforcement agents should have arrangements in place for rapidly accessing interpretation services (including British Sign Language), when these are needed, and provide on request information in large print or in Braille for debtors with impaired sight.’*

This letter serves to notify both Creditor and Enforcement Company that I am a vulnerable debtor and I am placing the creditor on notice in accordance with paragraph 30 of the Taking Control of Goods: National Standards 2014 and Paragraph 16 says the creditor/council SHOULD be prepared to take control of the case.

In view of the above, please **DO NOT PASS ME ON TO YOUR WELFARE DEPARTMENT** as you have now been informed that I am a vulnerable and should return the debt to the Creditor.

Failure to return the debt, or an attempt to set up a repayment plan with the Enforcement Company will be seen as a delaying tactic not to deal with me as a vulnerable person but a tactic used to avoid the return of the debt to ensure payment of Enforcement Fees. This is futile as no fees will be collected from me. All your fees are Disputed.

I do not anticipate any change in circumstances in the foreseeable future and should be grateful if you would acknowledge this situation. Any further enforcement action will be classed as harassment.

This letter is being sent to both Creditor and Enforcement Company so that both are aware of my vulnerability and as a reminder that according to Paragraph 7 of the Taking Control of Goods: National Standards 2014 they are responsible for any enforcement agents acting on there behalf.

Please confirm that all enforcement action against me has now ceased and that my account is passed back to the Creditor in order that I may deal with them directly.

Your sincerely

[YOUR NAME]