

[On your letterhead]

[insert your name/full address/

company name/

company address]

[insert debtor's full name/

address/ company name/

company address]

By email to: [insert defendant's email address] & By Post

[insert date of the letter DD/MM/YYYY]

### Letter Before Action

Dear [insert Sir/Madam/Sirs/Defendant's surname]

RE: [insert nature of the debt/invoice numbers]

This letter is being sent to you in accordance with the Pre-action Protocol for Debt Claims (the Debt Protocol) contained in the Civil Procedure Rules (CPR). In particular we refer you to paragraph 7 of the Debt Protocol, and paragraphs 13 to 16 of the Practice Direction on Pre-action Conduct and Protocols regarding the court's powers to impose sanctions for failing to comply with the provisions of the Debt Protocol. Circumstances resulting in the debt becoming payable.

### OUR CLAIM

1. [Insert detailed facts/ background of the debt]
2. [Summary of how the debt arose].
3. [Reference the documents that enclose the debt, the amount due and the due date. You need to enclose copies of any such correspondence or documents with the letter when sending it out]
4. [Insert how many days overdue payment is]
5. [legal basis/justification of the claim]

## STATEMENT OF LOSS

[insert bullet point breakdown of the money due to you referencing invoice numbers]

[example: £3,000 + VAT (£3,600) invoice K6/2006 dated 2 January 2022]

## INTEREST

Interest is charged from [insert date] at the rate of [X]% from [insert due date] to the date of this letter. The interest accrued to date is [insert amount]. This will increase at the daily rate of [insert amount].

[If the debtor is a company, we are entitled to recover an administrative fee of [X] amount under the Late Payment of Commercial Debts Act.]

## RELEVANT DOCUMENTS

[Insert bullet point list of supporting enclosures (documentation, emails, text messages) that will be attached to this letter]

[example: Letter between Y and Z dated 31 January 2022]

## DOCUMENTS REQUESTED FROM THE DEBTOR

[We request the following documents: Insert bullet point list]

OR

[We do not consider that there are any documents in your possession that we require in order to initiate proceeding in relation to this claim]

## PAYMENT OF THE DEBT

The amount due can be paid by electronic bank transfer to us by way of the following bank account:

[Name of bank]

[Name of account]

[Account number]

[Account sort code]

You may contact us at [insert email address] to discuss possible repayment options. You should also note that free independent advice and assistance can be obtained from the organisations listed in the information sheet annexed to this letter.

## THE NEXT STEPS

You should respond to this letter, enclosing the completed Reply Form and Financial Statement Form within 30 days of the date of this letter, i.e. [Insert the date that is 30 days from date of letter].

If you do not respond to this letter within the prescribed timeframe, our client reserves all its rights, including the right to commence proceedings (without further reference to you should that prove necessary and appropriate) to obtain a court judgment requiring you to pay the Debt plus interest and costs that are continuing to accrue.

Ignoring this letter may lead to our client starting proceedings against you and may increase your liability for costs.

Yours faithfully

[insert your/company signature]