

Application for Certificate to Levy Distress

Please complete this form in BLOCK CAPITALS

In the County Court

Are you applying for (✓ as appropriate)

A first general certificate to levy distress

A renewal of a general bailiff's certificate

Part 1

1. Full name
 Date of birth

2a. Home address

 Telephone N^o.

2b. Business address

 Telephone N^o.

2c. Which address is to be used for the purposes of this application? *Business* *Home*

2d. Does your area of business extend beyond the district of the court at which the application was made? Yes No

3a. Have you ever applied for and been refused or had cancelled a general or special certificate? Yes No

3b. If Yes, please answer the following questions

- Court to which the application was made
- date the application was refused
- or Court at which the certificate was cancelled
- date of the cancellation

4. Are you
a. In business alone (i.e. a sole trader) Yes No ✓ as appropriate

b. partner in a firm? Yes No

If Yes please give

- Full names of all partners

- Principal place of business

Part 1 continues overleaf

Part 1 cont'd

4c. Are you employed by a firm or company? Yes No ✓ as appropriate

If Yes, please state

- Full names of all principals or directors
- Full name of secretary
- Business office and registered office address(es) where appropriate

4d. employed or self-employed as an agent in any other type of organisation? (e.g. Local Authority)

Yes No ✓ as appropriate If Yes, please give

- full names of persons responsible for management of levying distress for rent
- full name(s) and address(es) for all persons authorised to accept notices

Levy distress

Notices

5. Do you hold a licence under the Consumer Credit Act 1974? Yes No ✓ as appropriate

If Yes, please give reference number of licence

6. A certificate cannot be issued to any person who carries on the business of buying debts. If the business in which you would be employed is in the business of buying debts, give full details here.

7. What is the nature, and the general purpose, of the business in which you are engaged?

Part 2

8. Have you been convicted of any offence?

In your answer to this question, you are not required to disclose convictions that are spent in accordance with the Rehabilitation of Offenders Act 1974.

✓ as appropriate

Yes No

If Yes, please state

• Date of conviction

• Place of conviction

In support of your answer (Yes OR No), you must exhibit a certified copy of a criminal conviction certificate, a criminal record certificate or an enhanced criminal record certificate relating to you that has been issued pursuant to Part V of the Police Act 1997. The certificate must not be more than one month old.

9. Have you, as an individual or a partner of a firm had

- a statutory demand served upon you under the Insolvency Act 1986?
- a bankruptcy order made against you?
- an order made against you and not been discharged from bankruptcy?

✓ as appropriate

Yes No

If Yes, give full details below

10. Have you, as a director or secretary of a company or when responsible for the management of affairs of any organisation, within the last 3 years, had an administrator or administrative receiver or manager appointed, had a winding up petition presented to a court, or passed a resolution for voluntary winding up?

Yes No N/A ✓ as appropriate

If Yes, give full details below

11. Have you ever had judgment entered or order made against you either in the High Court or in a county court?

✓ as appropriate

Yes No

In support of your answer (Yes OR No) you must exhibit a certified copy, not more than a month old, of the result of a search of the Register of judgments, orders, fines and tribunal decisions against your full name and your home and business addresses for the last six years.

Part 3

The judge can only grant a certificate if satisfied that you are a fit and proper person and have a sufficient knowledge of the law of distress.

12. Please give any information below which may assist the judge in considering your case, for example

- evidence of knowledge of the law of distress.
The successful completion of the examination of the Certified Bailiffs' Association will be accepted as evidence here.*
- previous employment record*
- educational or professional qualifications*

* enclose certified copies of these qualifications or any other documents which may assist the judge

13. You must also give two referees one of whom may be your employer or an approved officer of the Certificated Bailiffs' Association of England and Wales, one of whom must know of your knowledge of the law of distress and previous experience of the levying of distress. Details should be given below or, if in confidence, be sent to the District Judge of the county court dealing with this application.

First referee

Name

Address

Second referee

Name

Address

The applicant must ensure that the two references are sent to the court; the application will not be considered until both references are received. When the references are received the court will exhibit a notice of your application. Your application can be heard 60 days after the notice is exhibited.

Part 4

I apply for a general certificate ✓ as appropriate
Yes No

I apply to renew a general certificate Yes No ✓ as appropriate

- I enclose
- | | | |
|--|------------------------------|-----------------------------|
| a. certified copy of the result of a search of the Register of judgments, orders, fines and tribunal decisions | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| b. two references | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| c. two passport size photographs of myself | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| d. the fees of £..... | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| e. copies of the prescribed forms which I intend to use when levying distress | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| f. certified copy of a criminal conviction certificate, a criminal record certificate or an enhanced criminal record certificate | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

EITHER I enclose a bond and/or deposit totalling £10,000 Yes No

OR There is a subsisting bond and/or deposit totalling £10,000 lodged in court Yes No

Part 5

I will not levy distress at any premises in respect of which I am regularly employed to collect rent.

I, (name)

make oath/affirm* and say that to the best of my knowledge the particulars contained in this application and the above statements are true.

Signed

Sworn or affirmed at

 in the county of

This

 day of 20

Before me

Proper Officer appointed by the judge to take affidavits

**delete as preferred*

Part 6 To be completed by the court

Two references received

Yes

No

Notice of this application displayed on

You must attend when the Judge will hear your application

at

County Court

on (date)

at

a.m / p.m

(delete as appropriate)