

N379

# Application for charging order on land

CPR Part 73

You can use this form to apply for an order imposing a charge on the interest of the judgment debtor in the land mentioned below to secure payment of the amount owing you under the judgment or order you have been given.

<b>Name of court</b>	<b>Claim no.</b>
<b>Fee account no.</b> (if applicable)	<b>Help with Fees – Ref. no.</b> (if applicable)
	<b>H W F</b> – <input type="text"/> <input type="text"/> <input type="text"/> – <input type="text"/> <input type="text"/> <input type="text"/>
<b>Claimant's name</b> (including ref.)	
<b>Defendant's name</b> (including ref.)	

## 1. Judgment creditor (the person making this application)

What is your full name?

### Details of the judgment or order

What is the name of court where the judgment or order was made?

On what date was the order or judgment given?

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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What is/are the claim number(s)? (if applicable)

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

If have more claim numbers please list them on a separate sheet.

## 2. Judgment debtor (the person who owes you money)

What is the full name of the judgment debtor?

If known, what is their date of birth?

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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What is their address?

Postcode 

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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### 3. Judgment debt or enforcement of liability order (Complete only part A or B)

#### A. – Judgment debt

What does the judgment or order require the judgment debtor to pay?

£		(including any costs and interest)
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What amount is still owing?

£		(which includes further interest payable on the judgment debt)
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Tick the relevant box(es)

☐ The judgment or order did not provide for payment by instalments

☐ The judgment or order was made **after** 1 October 2012

☐ The judgment or order was made **before** 1 October 2012 **and**

£		of the instalments due under the judgment or order has fallen due and remains unpaid.
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**OR**

#### B. – Enforcement of a liability order

A Magistrates' Court has made one or more liability order(s) for non-payment of council tax.

What does the liability order require the judgment debtor to pay?

£	
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The amount outstanding is **at least £1,000** and **evidence of the debt is attached** to this application.

What amount is still owing?

£		(which includes further interest payable on the judgment debt)
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### 4. The land

What is the address of the land upon which it is sought to impose a charge?

Postcode							

The evidence of the judgment debtor's interest in the land is:

- ☐ The title to the land **is registered** at HM Land Registry under Title Number   
and an Office copy of the Land Register entry(ies) for the title(s) is/are attached.

**OR**

- ☐ The land is **not registered** and alternative evidence of the judgment debtor's interest in the land is attached

## 5. Judgment debtor's interest in the land

- ☐ the judgment debtor is the sole owner  
☐ the judgment debtor is a joint owner  
☐ the judgment debtor is a beneficiary under a trust  
☐ the judgment debtor, as a partner has an interest in partnership property  
☐ the judgment or order was made against the judgment debtor as trustee under a trust
- ☐ debtor's interest in the land as shown by the office copy Land Register entries attached

**OR**

- ☐ the judgment creditor believes this to be so because:

## 6. Other creditors (please tick only one box)

- ☐ The judgment creditor does not know of any other creditors of the judgment debtor

**OR**

- ☐ The judgment creditor knows of the following other creditors of the judgment debtor  
(full name and address including postcode of each creditor, and if known, nature of debt and amount):

Full name	Address including postcode	Nature of debt	Amount

## 7. Other persons to be served

- ☐ No other person has an interest in the property  
(including any co-owners, trustees and persons with rights of occupation)
- ☐ The following persons have or may have an interest in the property  
(please provide full names and full addresses and postcodes, and if known, nature of interest)

Full name	Address including postcode	Nature of interest

## 8. Further information

The judgment creditor asks the court to take account of the following  
(please provide any additional evidence to support your application):

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## 9. Sources of information – Only complete this section where the judgment creditor is a firm or a company or other corporation

The information in this application is given after making proper enquiry of all persons within the judgment creditor's organisation who might have knowledge of the facts.

Name of person completing this form

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Their position or office held

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Name of the firm or company or other corporation

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## Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in this application form are true.

☐ **The Judgment Creditor** believes that the facts stated in this section and any continuation sheets are true. **I am authorised** by the judgment creditor to sign this statement.

### Signature

☐ Judgment creditor

☐ Litigation friend (where judgment creditor is a child or a patient)

☐ Judgment creditor's legal representative  
(as defined by CPR 2.3(1))

### Date

Day

Month

Year

Full name

Name of judgment creditor's legal representative's firm

If signing on behalf of firm or company give position or office held

Judgment creditor’s or judgment creditor’s legal representative’s address to which documents should be sent.

Building and street

Second line of address

Town or city

County (optional)

Postcode

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If applicable

Phone number

Fax phone number

DX number

Your Ref.

Email

## Notice to judgment creditor

**Further information** on making an application for a charging order can be found in **EX325 Third Party Debt Orders and Charging Orders – How do I apply for an order? How do I respond to an order?**

Available from <http://hmctsformfinder.justice.gov.uk>

**Please complete your form in full and make sure that the required documents are attached. Your application will be returned to you if it is incomplete. This will delay issue of your application.**

Please tick to confirm that you have done the following

- ☐ The names of the parties and the claim number are entered on the form
- .....
- ☐ You have entered the fee account number
- or**
- ☐ You have enclosed the fee of £  Make your cheque payable to **HMCTS**
- or**
- ☐ You have completed and attached the 'Applying for help with fees' form (EX160)
- .....
- ☐ You have attached the documents or evidence required by Section 3B
- ☐ The documents or evidence required by Section 4 are attached.
- ☐ You have attached one additional copy of the application and supporting documents to be returned for service.

## Where to send your completed form

For a County Court application	County Court Money Claims Centre PO Box 527 Salford Greater Manchester M5 0BY
<b>OR</b>	
For a county court application, that <b>includes an interest in a fund in court</b> , send your application to the County Court hearing centre where the order was made.	The addresses of County Court Hearing Centres can be found at <b><a href="http://courtribunalfinder.service.gov.uk">courtribunalfinder.service.gov.uk</a></b>
<b>OR</b>	
For High Court or District Registry applications	The addresses of High Court and District Registry can be found at <b><a href="http://courtribunalfinder.service.gov.uk">courtribunalfinder.service.gov.uk</a></b>

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>