CLC Enforcement
Notice of Action

Date: 19th January 2019

Manager
The Asset Management Group Ltd
13 -21 High Street
Guildford
Surrey
GU1 3DG

Re: CLC Court Order   C0/WIG/18/3
Re: Pepper (UK) Limited t/a Engage Credit (WHITE/L900971) v Mr Paul Allen
Re: 26 Walnut Grove, Redcar, TS10 3PG

Dear Sir/Madam,

We write to you in relation to the recent Common Law Court hearing (28.10.18) and the issued court order above. The individuals in the above case have failed to comply with the court order, they have now been given an additional fourteen days to do so.

As we are now enforcing this order, we write to confirm that we have already returned the property in question (see above) to the rightful owner and will be lodging a formal criminal complaint against the parties involved with the police.

While not directly referred to in the order from the Common Law Court, you should note the following:

1. The parties referred to have unlawfully obtained a Notice of eviction for the premises concerned, this was executed on the 5th October 2018 at 10:00 am, using deception. As you are aware, all warrants from the county courts are restricted to a limit of £5000 and county court bailiffs only have personal jurisdiction to execute warrants up to and including £5000 only.

2. *We would also like to point out, that the N49 warrant for possession is <u>**ONLY**</u> applicable to tenants in rent arears and <u>**NOT**</u> applicable to legally titled registered owners.*

3. *We can also confirm, having obtained a copy of the guidance notes for the EX96, the following rules:*

*The entitlement to use force comes from the authority given by the person entitled to possession, **and not by virtue of the warrant of possession**.*

Therefore, the warrant grants no authority. Further to this, the guidance notes also state the following:

*Whilst the claimant can authorise the bailiff to use reasonable force to carry out the eviction, **they are not <u>empowered</u> to instruct or order the bailiff to use such force, reasonable or otherwise**.*

by knowingly authorising the use of this document in order to unlawfully steal property, these parties were also committing the crime of uttering under the 1913 forgery act.

<u>*Uttering*</u> *is a <u>crime</u> involving a person with the intent to defraud that knowingly sells, publishes or passes a <u>forged</u> or <u>counterfeited</u> document. More specifically, forgery creates a falsified document and uttering is the act of knowingly passing on or using the forged document. See the Forgery Act 1913 Section 6-uttering & Section 11-aiding and abetting.*

<u>*Accessories and abettors*</u>
Any person who knowingly and wilfully aids, abets, counsels, causes, procures, or commands the commission of an offence punishable under this Act shall be liable to be dealt with, indicted, tried, and punished as a principal offender, this law also includes the police and yourself.

We would also like to draw your attention to criminal law act 1977 chapter 45.

<u>*OFFENCES RELATING TO ENTERING AND REMAINING ON PROPERTY*</u>
<u>*6 Violence for securing entry.*</u>

(1) Subject to the following provisions of this section, any person who, without lawful authority, uses or threatens violence for the purpose of securing entry into any premises for himself or for any other person is guilty of an offence, provided that—

*(a) **there is someone present on those premises at the time who is opposed to the entry which the violence is intended to secure**; and*

(b) the person using or threatening the violence knows that that is the case.

In addition to the parties referred to being convicted in a Common Law Court, we also remind you of the statutory limitations of the EX96 via the guidance notes as set out above.

Should you wish to respond to this letter, any and all further communications should be sent by e-mail to the following address: info@commonlawcourt.com

Receipt of all e-mails will be acknowledged within 24 hours.

CLC Enforcement
Subject Solely to Common Law