

# Dealing with bailiffs



**T**he Bailiff's job is to enter a debtor's premises and remove enough of their possessions to sell and repay the creditor what they are owed. The debtor has a number of legal rights. If the bailiff doesn't recognise these in the way they carry out their job, the removal of the debtor's property and possessions becomes illegal.

Most bailiffs do not have the right to force their way in to carry out their job. They may only enter peacefully and with the permission of the occupier. Bailiffs who have authority to remove possessions to pay a fine imposed by the Magistrates Court or collecting tax debts have permission to force entry where reasonable and necessary.

**J**ust because bailiffs can't get into your house it doesn't mean they cannot get your belongings—they can seize a car parked in the street as long as they are certain it belongs to you. They can also enter by:

- being invited in by a responsible adult.
- jumping over a fence to get to your back door
- opening an unlocked door.



## What if they get in?

If bailiffs get in legally they will usually make a list of your goods and ask you to sign a payment agreement called a Controlled Goods Agreement. If you do not stick to your payment agreement, the bailiff can return, force entry into your home (if required), and take the goods on the list.

## What can bailiffs charge?

How much bailiffs are allowed to charge, and for what, depends on the type of debt they are collecting. If they don't get you a scale of their charges ask for one and seek advice.

**R**emember:  
-Don't get alarmed.  
-Not all bailiffs will give you a hard time.

-If you can make sure there is someone else at your home as a witness.

-Tell everyone at your home that bailiffs might be calling and they should check who is there before answering the door.

-When they come be firm but polite. If they need to show you ID they can pass it through the letterbox

-Call the police if they are threatening or aggressive .

-Seek advice as soon as possible

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