

Application for charging order on land

FPR Part 40

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.

Name of court	Claim No.
Fee Account no.	
Help with Fees - Ref no. (if applicable)	H W F - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>
Name of Creditor	
Name of Debtor	

1. Creditor (the person entitled to receive payments)

What is the creditor's 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"/>						
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What is the case number? (if applicable)

2. Debtor (the person who owes the money)

What is the full name of the debtor?

If known, what is their date of birth?

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

Postcode

What is their email address?

What is their phone number?

3. Judgment debt

Judgment debt

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

Lump sum

£ (including any costs and interest)

Regular Payment

£ weekly monthly

What amount is currently owed?

£ (which includes further interest payable on the judgment debt)

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.

4. The land

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

Postcode <input type="text"/>

The evidence of the 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 debtor's interest in the land is attached

5. Debtor's interest in the land

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

OR

- the creditor believes this to be so because:

6. Other creditors (please tick only one box)

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

OR

- The applicant creditor knows of the following other creditors of the 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 creditor asks the court to take account of the following
(please provide any additional evidence to support your application):

Notice to 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

£	
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 Make your cheque payable to **HMCTS**
- or**
- You have completed and attached the 'Applying for help with fees' form (EX160)
-
- 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

Payments made directly between the parties

If your maintenance order was made in England or Wales, the debtor lives in England or Wales and payments are instead made directly between the parties, you should apply to your nearest designated Family Court. A full list of Family Courts is available on our website courttribunalfinder.service.gov.uk

You will need to select the issue category '**Children: child contact issues and disputes over maintenance payments**' to find your nearest designated Family Court.

Payments made through the court

If your maintenance order was made in England or Wales, the debtor lives in England or Wales and payments are made through the court, you should apply to a Maintenance Enforcement Business Centre based on where the debtor now lives.

The Maintenance Enforcement Business Centre - Wales

Port Talbot Justice Centre, Harbourside Road, Port Talbot, South Wales SA13 1SB

Phone: 01639 642267

Email: Wales_MEBC@hmcts.gsi.gov.uk

The Maintenance Enforcement Business Centre - England (excluding London)

Triton House, St Andrews Street North, Bury St Edmunds, Suffolk IP33 1TR

Phone: 0300 123 3034

Email: MEBC.BSE@hmcts.gsi.gov.uk

The Maintenance Enforcement Business Centre - London

Central Family Court, First Avenue House, 42-49 High Holborn, London WC1V 6NP

Phone: 020 7421 8657

Email: MEBC.London@hmcts.gsi.gov.uk