



## Order For Sale - England and Wales

An order for sale (OFS) is considered in cases where a charging order has been granted against a paying parent's asset/s and the Child Maintenance Group (CMG) wishes to force the sale of the asset/s. An OFS of property is dependent upon a charging order having been granted and registered with the Land Registry. An OFS may also be granted against any other asset that is subject to a charging order, e.g. stocks and shares or an interest in a trust.

Before considering order for sale action the paying parent should have arrears or at least £3,000.00, secured under a liability order and charging order.

This is a two stage process. The initial early order for sale action is designed to encourage compliance and to give a paying parent a final chance to reach an agreement. If this is unsuccessful then you may decide to proceed with a full order for sale and possession order.

This action will be completed by enforcement case managers in England and Wales, who will instruct the CMG's contracted solicitors. This process does not apply to Scotland. For Northern Ireland refer to [Order For Sale - Northern Ireland](#).


The OFS process differs from most of the other enforcement processes in that there is no court presenting officer (CPO) involvement, and senior managers are closely involved with all aspects of the application. If any advice is needed, case managers should consult with their line manager and the advice and guidance team, who may in turn contact the policy teams if required.


An application for an OFS will take place following a discussion with the receiving parent, and in consultation with an enforcement Grade 7, who will make the final decision upon pursuing this action. The paying parent will be given the opportunity to have a telephone conference before the order for sale action proceeds, if the paying parent specifically requests a face to face meeting to obtain the submission statement, then this can then be considered.

Due to the sensitive nature of these cases case managers will need to consider briefing the communications team on the background and case history so that they can liaise with the Press Office in the event of any adverse publicity.

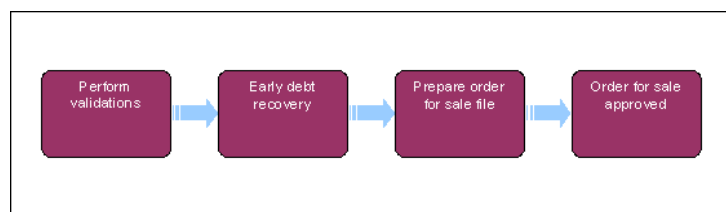
An OFS should be made in the same county court that granted the initial charging order, unless the court does not have jurisdiction due to the debt to be collected from asset/s owned solely or jointly by the paying parent exceeding £350,000. In these cases an OFS application would be made to the Chancery Division of the high court.

Once an OFS has been granted the selling process will be handled by an external body. The court judgement will also set out a hierarchy of what payments must be paid before the principal debt is recovered. These will include conveyancing costs, legal expenses of the proceedings and also payment of charges and securities with higher priority. The court may also award interest against the debt at a pre-determined interest rate (currently 8.00%).

 Enforcement Service Requests (SR) and Activity Plans (AP) are supported by an underlying data form, in which the enforcement case manager can record specific details as the action progresses. The complete data form for this process may be found here: [Order for Sale](#)

 When speaking to the paying parent during the process of considering/applying for an OFS, take the opportunity to tell them why we are taking this action. Explain that the forced sale of an asset is not the CMG's preferred course of action and that the paying parent can avoid the process by becoming compliant (i.e. making a substantial lump sum payment and adhering to an arrears agreement).

For more information refer to the Policy, Law and Decision Making Guidance 



 When speaking to clients always use the new terminology - for more information refer to [Terminology Changes](#).

 This procedure uses the terms receiving parent and paying parent.

The receiving parent is the parent who receives or who is expected to receive child maintenance, known as the parent with care (PWC) or person with care (PeWC) on the system and in legislation. The paying parent is the parent who pays or who is expected to pay child maintenance, known as the non resident parent (NRP) on the system and in legislation.


### Perform validations



Some actions may require an up front payment to the service provider (eg Courts). This payment will be made using the government procurement card (GPC), for more information refer to [Admin Account - Add To](#).

1. Prior to launching the service request (SR) for an order for sale (OFS) have an offline discussion with your line manager or advice and guidance team to confirm that this is the correct action to be considering, and that all other options to recover the debt have been exhausted.

Referrals for OFS action are made based on the suitability of the case, and the discussion with your manager should also take into account the following factors:

- High profile complaints cases: Complaints made to an MP or the independent case examiner (ICE), or a case that needs to be actioned urgently to avoid a complaint escalating.
  - Has the maximum possible amount of debt been secured with a liability order/charging order.
  - Properties in joint ownership: Where there is a risk that the property may be sold by the co-owner before we can secure an OFS. For more information on OFS refer to the Policy, Law and Decision Making Guidance 
  - Segment 5 cases that have been selected for Order for Sale action in progress on CSA systems. If the case has been selected for Segment 5 but Order for Sale action has begun prior to transition, refer to **Enforcement Transition Part 2 (Slide 13)** from [Fundamentals](#). Once this process has been followed the case can now be progressed from the appropriate stage as Business As Usual.
2. Navigate to the Contact screen to check that the paying parent falls into the correct jurisdiction for this action and is resident in England, Wales or Northern Ireland.
  3. Manually create a service request (SR) using the following options:
    - **Process = Enforcement**
    - **Area = Take Enforcement Action**
    - **Sub Area = Order For Sale**
  4. Once you have created the SR, link the appropriate **LO - Magistrates Court**, **LO - Register in CC** and **Charging Order** SR's.



If the Liability Order and Charging Order were obtained by CSA then these should be built on CMS. Refer to [Liability Order - Magistrates Court](#), [Liability Order - Register in County Court](#) and [Charging Orders](#) for further information.



5. Update the SR **Status** to **In progress**. The CMS system will present a list of standard validations which may be completed in any order. Add an explanatory note in the **Update Child Welfare – Reason** field and select **Exit** if you cannot complete any of the validations.

6. Verify arrears outstanding:
  -

- Go to **Contacts**
- Select the **Financial Accounts** tab
- Drill down onto account number in the **Financial Account** screen
- In **Financial Account** screen enter **Payment Schedule** tab to see the total arrears balance
- Return to the SR by using the thread bar
- Record free text in the **Reason** field, including any supporting evidence using no more than 1500 characters otherwise you will have to record on general CMS **Notes** tab. Go to **Outcome** and select **Done** within Activity Plan



Before considering order for sale action the paying parent should have arrears or at least £3,000.00, secured under a liability order and charging order.

- This decision is a discretionary decision, this includes making a Welfare of the Child Decision, for more information on discretionary decisions including a verbatim statement to record in **Notes** refer to Policy, Law and Decision Making Guidance 
-  We do not send a letter to the receiving parent at this stage as we do not want to advise them that we are considering an order for sale until we have confirmed that it is a viable prospect. Select **Done** for this step as **Not Applicable** will close the SR. Please refer to the procedure for [Letters outbound - contingency summary](#) for further details
- **Add/validate LO** - Navigate to the **Enforcement Orders** tab and associate the relevant liability order (LO) with this activity plan.
- **Add/validate asset** - Select the required paying parent assets from the **Contact Asset** view and associate them with the SR.
- **Decide next steps** - Select **Continue**, or **Exit** if you are unable to confirm any of these validations



Use the **Asset** view to record assets on the system. Use the **Contact Asset** view to associate an asset to your enforcement SR. When recording assets, only use the data fields under the applet name. Don't use the menu next to **Asset Type**.

Go to **step 66** to manually close the SR if you decide to exit from this activity plan. If you select Continue the system will automatically present the next activity plan to prepare the OFS file.



Remember to associate this SR with the relevant **Case Routing** SR. Refer to the procedure for **CMS System Overview** for further information about linking SR's.

7. Prior to taking Order for Sale action you may also wish to determine how much of the paying parent's total debt is secured under one or more liability orders. To do so, navigate to the **Financial accounts** view and:
  - Select **Enforce Enquiries**
  - Check **Order Number** for the LO reference number -filter this if necessary to show due types

- Select **Query** to show the payable amounts and balance - there will be two line references for costs and arrears - note the arrears
- Select **Group Reference**
- Input the LO reference and select **GO** to show the line items for the LO reference populated
- Select **Total LO Amount** to show the total amount granted by Liability Order
- Select **Amount Paid** to show amount made against the LO
- Select **Total Debt Amount Outstanding** to show the current arrears balance against the LO.



If there has been more than one LO granted against the paying parent you will need to repeat this process for each LO reference, making a note manually of each balance.

8. Select the **Update form/document** tab to access the **Enforce form**, and add the total LO balance/s in the **Arrears balance against LO** field

### Case manager action

9. Call the receiving parent and ask for their opinion regarding OFS action. The decision to apply for an OFS is a discretionary decision following consultation with the receiving parent and an enforcement senior manager and must be recorded as a Free Text entry in **Update Child Welfare Details – Decision**.



At this point you are seeking the receiving parent's general opinion only. Take this opportunity to explain the OFS process to the receiving parent, and the timescales involved. Ensure that they support the action that we are taking, and fully understand the implications and costs associated with an OFS. A formal submission statements will be requested later in the process from both the paying parent and receiving parent if it is decided that the OFS will be presented to court.

10. Attempt to call the paying parent to advise them that the CMG is considering an OFS. Send form CMEL9061 to the paying parent requesting details of their mortgage. Set a **Wait** period of 14 days within the SR to allow a response to be received.

11. If the paying parent fails to return form CMEL9061, use online credit reference agency (CRA) tools to check their outstanding mortgage balance.

12. Use the online Land Registry portal to check for any previous charges on the Paying Parent's property that may inform your decision whether to proceed with the OFS action.

13. Consider sending letter CMEL7172 to obtain information directly from the lender/creditor if all the previous investigatory options have been exhausted. For more information refer to [Investigative Action](#).



CMEL7172 is an off system letter. Please refer to the procedure for **Letters Outbound - Off System** for further guidance.

14. Use online search tools like Zoopla to carry out an initial valuation of property in the paying parent's area Update line 1 of the activity plan **Obtain Property Valuation to Done**

Please refer to the Law Policy and Decision Making Guide for further information on information gathering

15. Form CMEL9074 will need to be sent to the CMG's contracted solicitors via your Team Leader, instructing them to attempt early debt recovery. Refer to Sending Secure Documents in the Procedural Exceptions tab.

16. Once you have completed form CMEL9074, launch an Ad Hoc **Team Leader Approval** and submit to your team leader (TL) with the following options:

- **Status = Pending Approval**
- **Sub Status = Pending Approval – TL**

### Team Leader action

17. Open inbox work item and self allocate the SR. Open the SR and consider the OFS request. Approval at this stage takes place at SEO level. Consult with an enforcement SEO regarding the OFS application and update the **TL Approved** and the **Comments box** with the reasons for the decision. Update inbox work item to **Approved** or **Rejected** and allocate back to the caseworker.

### Case manager action

18. If your team leader does not approve the action at this point send CMEL9075 to the Receiving and CMEL9079 to the Paying Parent. Go to **Step 66** to close the Order for Sale SR.

19. If your team leader approves the action, scan a copy of form CMEL9074 and send the original to the CMG's contracted solicitors, instructing them to attempt early debt recovery. Refer to **Sending Secure Documents** in the **Procedural Exceptions** tab. For guidance on locally scanning documents refer to the procedure for **Scanning - Local**

20. Set a **Wait** period of 62 days to allow a response to be received from the contracted solicitors.



The case may remain with the contracted solicitor for up to 60 days to allow the early debt recovery process to be completed, unless an extension is agreed with the relevant legal enforcement caseworker.

21. The contracted solicitors will write to the paying parent advising that the CMG is considering OFS action, and requesting that they make payment of their debt.



Once the case has been referred to the contracted solicitor, they will handle all correspondence and contact with the paying parent with regards to the OFS. The CMG will maintain contact with the receiving parent, and will handle any unrelated issues from the paying parent. If the paying parent offers an arrears agreement the solicitors will contact you for a decision on accepting it, based on the Payment Agreement Guidance, and your knowledge of the individual case.

22. Set the **manual allocation flag** to Stop The OFS Payment From Allocating Automatically. For more information refer to **Manual Allocation Flag - Set Up**. BPAS will handle the receipt prior to any payment being allocated to the paying parent's case/s.
23. If you feel that the early order for sale action is not going to be successful, request a further drive by valuation from the contracted solicitors prior to considering a full order for sale.




Requesting this further drive by valuation towards the end of the early OFS period saves time, and ensures that the most up to date information is available when the case is discussed at the monthly telephone conference at **Step 26**.

24. Once a response is received from the contracted solicitors update the **NRP Payment Received** field to reflect the outcome of the early debt recovery:
  - **Is payment sufficient to satisfy debt? – Yes.** Go to **step 66** to manually close the SR
  - **Is payment sufficient to satisfy debt? – Partial.** A new SR will be triggered to negotiate an arrears schedule with the paying parent for the remainder of the debt. For more information refer to **Arrears Negotiation and Missed Payments**. If the paying parent fails to make an arrears agreement following this process, go to **step 25** to consider if the case is suitable to progress to the next stage of the action.
  - **Is payment sufficient to satisfy debt? – No.** Select this option if you feel that further negotiation with the paying parent would be fruitless. Go to **step 25**



The decision to select either Partial or No is discretionary, based on your knowledge of the case and the paying parent. Document your decision in the **SR Notes**.

25.  At this stage the case will be discussed in a monthly telephone conference chaired by the Grade 7 Order for Sale lead, and attended by legal enforcement senior case managers (Grade 7) and representative from the contracted solicitors. During this meeting a decision will be made whether to proceed with the OFS. The final decision to approve the OFS is made by the area G7.
26. Update the **File Prepared OFS?** field of the activity plan to **Yes** and update the SR as follows to submit for approval by your TL:
  - **Status = Pending Approval**
  - **Sub Status = Pending Approval – TL**


### Team leader action

27. Open inbox work item and self allocate the SR. Open the SR and consider the OFS request. Approval at this stage takes place at grade 7 level, and the case will already have been discussed in the monthly telephone conference (see **step 25**). Update the **TL Approved** and the **Comments** box with the reasons for the decision. Update inbox work item to **Approved** or **Rejected** and allocate back to the caseworker.



### Prepare Full OFS file

If early debt recovery action is unsuccessful you may consider proceeding with full order for sale action.

Once the decision is made to proceed with full order for sale action, any further enforcement action (e.g. securing subsequent debt) can only be taken if agreed with the external supplier.


Cases selected for full order for sale action must be prepared and referred for within a period of six weeks. For further information please refer to the Law, Policy and Decision Making Handbook 

### Case manager action: Gather paying parent and receiving parent submission statements

28.   Call the receiving parent prior to proceeding with the OFS. This call allows you to formalise the submission from the receiving parent. Create a new line in the activity plan and name it **Outbound Letter - PWC**. Select form CMEL9264 (receiving parent witness statement) and populate it with the details of your conversation with the receiving parent. Send the form to the receiving parent along with letter CMEL9067 (receiving parent submission statement) and set a **Wait** period of 28 days to allow them time to sign and return the submission statement. Please refer to the procedure for **Letters outbound - send to client** for further guidance on creating an ad hoc letter




The receiving parent witness statement is not a mandatory requirement, but it is necessary that they support the action that we are taking, and fully understand the implications and costs associated with an OFS. The receiving parent must appreciate that their witness statement will be made available to the court and to the paying parent unless they request specifically that this is not done. The receiving parent may also request a face to face interview to complete the submission statement if they wish.

29.  Create a new line in the activity plan and name it **Outbound Letter - NRP**. Send letter CMEL9066 to the paying parent advising them that we intend to proceed with OFS action. This letter requests the paying parent to make submission statement and offers them a face to face interview, and a final chance to tell us why the OFS should not proceed. Set a **Wait** period of 28 days to allow them time to sign and return the submission statement. Please refer to the procedure for **Letters outbound - send to client** for further guidance on creating an ad hoc letter



The paying parent may also make their submission statement over the telephone if they wish.


### Case manager action: Prepare financial summary sheet and statement of events

30. Complete forms CMEL9065 (financial summary sheet), CMEL9068 (statement of events) These forms are completed as an appendix to the witness statement and will be used to prepare the narrative for the OFS report. For guidance on locally scanning documents refer to the procedure for **Scanning - Local**
31.  Letter CMEL9069 and forms CMEL9065 and CMEL9068 are subject to line manager authorisation. Print a copy of these documents prior to issuing them, and pass to your line manager for checking. Make a note in the SR **Notes** field to record the fact that you have had this letter and forms checked. Refer to **Sending Secure Documents** in the **Procedural Exceptions** tab.

### Grade 7 approval

32. Update the **File Prepared OFS?** field of the activity plan to **Yes** and update the SR as follows to submit for approval by your TL:
- **Status - Pending Approval**
  - **Sub Status – Pending Approval – TL**

### Team leader action









33. Open inbox work item and self allocate the SR. Open the SR and consider the OFS request. Approval at this stage takes place at director level and the case will already have been discussed in the monthly telephone conference (see **step 25**). Update the **TL Approved** and the **Comments** box with the reasons for the decision. Update inbox work item to **Approved** or **Rejected** and allocate back to the caseworker.
-  Line manager note: For more information refer to **BCS Overview** in related items.

### Caseworker action


34.  Issue letter CMEL9075 to the receiving parent and CMEL9079 to the paying parent if your team leader has rejected OFS action in the previous step. Go to **step 66** to manually close the SR.
35.  Send letter CMEL9070 to the paying parent and CMEL9071 to the receiving parent and go to **step 36** if the decision is made to proceed with the OFS.
-  A wet signature from a manager is not required on these letters.
36.  Send the following documents to the contracted solicitor via your TL. Refer to **Sending Secure Documents** in the Procedural Exceptions tab.
- CMEL9264: Receiving parent witness statement (if provided)
  - CMEL9066: A copy of the paying parent warning letter
  - CMEL9069
  - A copy of the charging order
  - CMEL7172 replies
  - A property valuation completed within the last three months
  - Order for recovery
37.  Issue letter CMEL9075 to the receiving parent if it is decided not to proceed with the OFS. Go to **step 66** to manually close the SR.
38. The contracted solicitor will review the referral and contact the senior case manager if they have any doubts about it or if they need any further information. The contracted solicitor will also seek the award of costs and interest.
-  No receiving parent address details should be included in any documents being sent to the contracted solicitor.
-  Any transfer of client information to the contracted solicitor should be by secure email using pretty good privacy (PGP) or by a secure courier. For more information refer to **Pretty Good Privacy** in related items.
39. Update the **Status** of the SR to **Pending** and set a **Wait** period at your discretion. The contracted solicitor will present the OFS to county/high court.
40. Select **Update Form / Document** to access the **Enforce Form** and update the field for **File Sent to Supplier Date**.
41. If you have received no response after the wait period call the contracted solicitor for an update and set a further **Wait** period if needed.

### Outcome of court hearing



42. Once you receive a response from the contracted solicitors, update the **OFS Granted?** line of the activity plan to reflect the outcome of the OFS hearing:
- **OFS granted: Granted** - Go to **step 43**
  - **OFS granted: Suspended** - Go to **step 46**
  - **OFS granted: Not granted** - Go to **step 47**





43.  Send letter CMEL9083 to advise the paying parent that the OFS has been granted. Set a **Wait** period of 28 days to allow the paying parent a final chance to make payment prior to proceeding with sale of the property. The contracted solicitor will deal with any appeal made by the paying parent at this stage, once the action has been agreed with the CMG external contract manager. If the paying parent fails to make payment go to **step 50** to consider applying for a possession order to allow us to take possession of the property.
44.   Call the receiving parent to advise of the outcome of the court hearing. If you are unable to contact them by telephone issue letter CMEL7180 to advise that the OFS has been granted.
-  When speaking to the receiving parent at this stage, manage their expectations with regards to timescales, and explain that the property may need to be sold before any debt is recovered.
45. If the paying parent makes payment update the **Has NRP paid debt in full?** line of the activity plan to **OFS debt paid**. At this point the CMS System will direct you to the activity plan for **OFS not granted**.  Please note, the correct name for this activity plan should be **OFS granted/ OFS not granted - Debt paid in full**.
46. The OFS may be suspended by consent order (a judicial decree expressing a voluntary agreement between parties) in the following circumstances:
- If the paying parent has made an acceptable agreement
  - If the judge sets a figure for payment in instalments
- If the paying parent fails to honour the agreement or the terms set by the court to repay the full debt including any interest and costs awarded by the court the case will return to court for the OFS to proceed.
47.  Send letter CMEL9077 to the receiving parent and CMEL9081 to the paying parent if the OFS is not granted. Go to **Step 66** to manually close the SR.
-  If an order is not granted - the supplier will inform the enforcement case manager of any point of law which can be appealed against. This will be discussed with the external contracts manager on behalf of the finance director to discuss the appropriateness of lodging an appeal and the cost implications.
48. If the paying parent makes a payment at this point, thus avoiding the sale of their property, go to **step 49**. If no payment is made, or agreement reached, go to **step 50** to consider a possession order.
49.  Send letter CMEL9076 to the receiving parent if the paying parent makes payment prior to the sale of their property. Also send letter CMEL9080 to the paying parent confirming that the OFS action has been withdrawn. Go to **step 65** to apply costs.

### Apply for possession order


50. If the paying parent has failed to make an arrangement to pay their debt the next step is to apply for a possession order to allow us to take possession of their property with a view to sale.
51. Complete a Possession Order template, detailing who (if anyone) resides at the property, their ages and any welfare issues.
52. This action will only be carried out following a meeting between a grade 7 enforcement manager and the contracted solicitor. The decision will be based on numerous factors, including, but not limited to:
- Equity remaining in the property allowing for prior charges etc.
  - The current housing market, and the time it is liable to take to sell.
  - The remaining debt outstanding
  - The condition of the property
  - The cost of maintaining the property once we have taken possession
-  Applying for possession of a commercial property requires approval at directorial level.
53. Go to **step 66** to manually close the SR if taking possession of the property is not justifiable, and action will not proceed.
54. If the paying parent makes full payment at this stage, navigate to the **enforce forms** tab and update the **NRP Payment Received** field. Proceed to **step 65** to apply any costs and to close the SR.
55. The contracted solicitor will apply to the courts for a Warrant of Possession and will advise you when an eviction date has been set, and provide a copy of the possession order (normally within 14 days of the hearing date)

### Sale of the property

56. Set a **Wait** state of 14 days to allow the contracted solicitor time to have the property advertised and to send in a marketing report, which will detail any work needed at the property (maintenance work, house clearance etc.) Where work is required at the property the contracted solicitor will supply quotes from three contractors, for review by an enforcement G7.
57. Once the property has been advertised, set an initial **Wait** period of 90 days to allow time for the property to be sold. If the property is not sold after this time set further **Wait** periods at your discretion to monitor progress. The sale will be handled by the CMG's contracted solicitor.
-  During this time the contracted solicitor should provide monthly progress reports
-  The receiving parent will be advised once the sale of the property has been completed.

58. If the property has not been sold after 3 months there will be a telekit between the contracted solicitor and the enforcement G7 to discuss reducing the marketed price, or applying for a reduction of the minimum sale price.
59. If an offer is made on the property it will be presented to an Enforcement G7 to accept or reject. The decision should be made within 24 hours of the offer being made, and should take into consideration:
- How long the property has been on the market
  - If the offer is reasonable, and higher than the minimum amount set by the court
60. Prior to completion of the sale the contracted solicitor will provide a completion statement to CMG. Check that the statement is still correct and that no payments have been received directly to CMG that may affect the debt balance.
61. The contracted solicitor will also provide a Land registry TR2 form which must be signed by a G7, and witnessed on the day it is received, and returned by recorded delivery to the contracted solicitor.
62.  Send letter CMEL9078 to the receiving parent to advise that the property has been sold and the debt cleared, or partially cleared.
63.  The sale of the property will be handled by the contracted solicitors, who will keep you up to date of any developments. When the property has been sold issue letter CMEL9082 to the paying parent to advise them that this has occurred.
64. Once the property has been sold the contracted solicitor will send a schedule to the CMG, showing the breakdown of the amount to be allocated to child support arrears, fees, costs, interest and bills for maintaining the property. Any funds that remain once all of these expenses have been met and the arrears paid, will be refunded to the paying parent.
-  The contracted solicitor will deduct their own costs before sending the balance of debt and interest to CMG. Any interest received will be paid back to the Secretary of State (SoS)
-  If the schedule from the contracted solicitor does not come to you it may have been routed to the Employer Support Team, who will contact you and advise you of the balance to add to the **Costs applet** in the next step.

### Apply costs / interest

65. Access the **Costs** applet and input any costs associated with the OFS. The court may also have awarded interest, which will have been calculated by the contracted solicitor, and added to the breakdown returned to CMG at **Step 64**. This should also be charged up in the **Costs** applet.
-  This step is optional, depending on whether costs or interest have been granted against the paying parent. For more information refer to the procedure for **Apply Costs**.
66. To complete the process manually close the SR by updating the SR as follows:
- **Status = Closed**
  - **Sub Status = Completed**

### Clear Artefacts

67. The contracted solicitor will clear any charges held against the property with the Land Registry. You will still need to clear the artefacts flag on the system. For guidance on completing this action refer to the procedure for **Case Routing - Enforcement**.

#### Sending Secure Documents

When letters or forms need to be sent to contracted solicitors, you will need to send these to your team leader (HEO) who will forward them to the solicitor via a secure email. Complete the following steps to send the letters/forms to your TL.

1. Save the letter/s form/s to your desktop.
2. Once all relevant letters/forms are prepared, win zip them into a single Zip file, save the file as the clients SCIN and region (xxxxxxxxxxxxMidlands).
3. Send the Win Zip file to your TL. Your TL will email the file to the solicitor via encrypted email.
4. Once your TL emails you confirming that this has been sent, continue with the procedure as normal.

NICMS to replace Child Maintenance Group (CMG) in Northern Ireland.

[CMEL7172 - Data Disclosure Request to deposit taker \(info regs\)](#)

[Edit this page to modify your web part content.](#)

[CMEL7180 Your child maintenance update – order for sale – granted](#)

To receiving parent - notification of outcome of order for sale – order or sale granted.

All fields in this letter are system generated, no manual intervention is required.

[CMEL9061 Legal requirement – you must send us some information](#)

Tells the paying parent to provide information of credit agreements related to charging orders.



All fields in this letter are system generated, no manual intervention is required.

#### CMEL9062 To paying parent, requesting property valuation...list of charges

To be finalised.

#### CMEL9065 Order for sale financial calculation sheet

This form is completed by the enforcement case manager.

At the head of the form, insert the names and national insurance numbers (NINO) of the paying parent and receiving parent/s

Within the form, populate the cells copied below with the necessary financial information:

A	Secured debt	£ [secured debt]
B	Value of property (from VOA) Obtained from: (free text)	£ [value of property]
C	Outstanding mortgage (from CWOL)	£ [outstanding mortgage]
D	Mortgage arrears	£ [mortgage arrears]
E	Value of any additional charges with priority	£ [value of additional charges with priority]
F	Devaluation to point of sale (B x 10%)	£ [devaluation to point of sale]
G	Total wquity (B-(C+D+E+F))	£ [total equity]
H	Deduction for shared equity (free text)	£ [deduction for shared equity]
I	Net equity (line G - line H)	£ [net equity]
J	Likely balance after sale/auction (line J - line A)	£ [likely balance after sale/auction]

At the foot of the form, add your name and contact telephone number.

#### CMEL9066 We are now considering applying to the courts...property sold

This letter tells the paying parent that we have a charging order on their property/properties/asset/assets and they have one chance to tell us why we shouldn't make an order for sale.

All fields in this letter are system generated, no manual intervention is required.

#### CMEL9067 Your child maintenance update...application

Tells the receiving parent we are thinking of applying for an order for sale and we'd like to know what they think

All fields in this letter are system generated, no manual intervention is required.

#### CMEL9068 Statement of events for OFS

Statement of events for OFS action – to be completed by the case manager.

Complete the following fields:

NRP name: NRP name

NINO/reference number: NRP NINO

PWC name: PWC name

NINO/reference number: PWC NINO

Qualifying children (name and date of birth): QC name/s and date/s of birth

#### CMEL9069 Decision to apply for OFS

This letter is sent to the contracted solicitor.

All fields in this letter are completed by the enforcement case manager. The letter itself contains guidance regarding completion of all sections.

#### CMEL9070 We are applying to the courts to have your property sold

Tell paying parent we are applying for an order for sale.

Under the paragraph heading Your child maintenance update select the appropriate paragraph from the following options: (The system will populate these paragraphs with client details).

- If both have commented

You and [PWC name] have been in touch, and we have carefully considered both sets of comments.



- If receiving parent commented, paying parent didn't  
You chose not to get in touch, but [PWC name] did get in touch. We have carefully considered his/her comments.
- If paying parent commented, receiving parent didn't  
You chose to get in touch, but [PWC name] didn't. We have carefully considered your comments.
- If neither commented  
Neither you nor [PWC name] chose to get in touch, so we have carefully considered all of the other evidence we've been able to gather.
- If multiple receiving parents  
[Freetext field to explain multiple PWC cases with complex mixtures of the above options.]

#### CMEL9071 Your child maintenance update – we are making...sale application

Tells the receiving parent we are applying for an order for sale.

Under the paragraph heading Your child maintenance update select the appropriate paragraph from the following options: (The system will populate these paragraphs with client details).

- If both have commented  
You and [NRP name] have been in touch, and we have carefully considered both sets of comments.
- If paying parent commented, receiving parent didn't  
You chose not to get in touch, but [NRP name] did get in touch. We have carefully considered his/her comments.
- If receiving parent commented, paying parent didn't  
You chose to get in touch, but [NRP name] didn't. We have carefully considered your comments.
- If neither commented  
Neither you nor [NRP name] chose to get in touch, so we have carefully considered all of the other evidence we've been able to gather.
- If multiple receiving parents  
Freetext field to explain multiple PWC cases with complex mixtures of the above options.

#### CMEL9074 initial summary sheet (not for issue)

This initial summary form is completed entirely by the enforcement case manager.

#### CMEL9075 Your child maintenance update – order for sale withdrawn

To receiving parent - Notification of outcome of order for sale - Withdrawn - Not Appropriate.

All fields in this letter are system generated, no manual intervention is required.

#### CMEL9076 Your child maintenance update – order withdrawn – payment received

Notification of outcome of order for sale - Withdrawn - satisfactory payment/arrangement agreed

Under the heading What this means for you select the appropriate paragraph for the outcome of the OFS action:

- If all arrears cleared and no ongoing maintenance select:  
We will transfer the child maintenance that we have received to you. Because this covers all of the arrears that you are owed, and you are not owed regular child maintenance payments, [add free text to enter what will happen now].
- If all arrears cleared but ongoing maintenance remains select:  
We will transfer the child maintenance that we have received to you. You are still due regular child maintenance payments, and if [NRP name] doesn't keep to these payments we will take further action against him/her
- If all arrears under this LO are cleared but other arrears remain select:  
We will transfer the child maintenance that we have received to you. You are still due payments to cover other arrears, and if [NRP name] doesn't keep to these payments we will take further action against him/her.
- If the arrears under this LO are cleared but other arrears and ongoing maintenance remain select:  
We will transfer the child maintenance that we have received to you. You are still due regular child maintenance payments and payments for other arrears, and if [NRP name] doesn't keep to these payments we will take further action against him/her.
- If some arrears remain under this liability order and some or all of the payment is allocated to PWC select:  
We will transfer the child maintenance that we have received to you. Because this doesn't cover the full amount you are owed, we will look at taking further action against [NRP name]. We will be in touch about this separately.
- If some arrears remain under this liability order but none of the payment is allocated to receiving parent select:

Unfortunately, the child maintenance that we have received covers a part of [NRP name]'s debt, but it is not owed to you. We will now look at taking further action against [NRP name] to collect the arrears that you are owed, and we will be in touch about this separately.

- If a payment arrangement has been made with the paying parent select:

We will start transferring any new payments that we receive to you. If [NRP name] doesn't keep to the payments we've agreed, we will take every appropriate action that we can under child support law to collect the maintenance you are owed

#### CMEL9077 Your child maintenance update – order for sale not granted

Receiving parent Notification of outcome of order for sale – not granted.

All fields in this letter are system generated, no manual intervention is required.

#### CMEL9078 Your child maintenance update – order for sale – asset sold

Receiving parent Notification of outcome of order for sale – asset sold, and debt cleared or partially cleared.

Under the heading What this means for you select the appropriate paragraph for the outcome of the OFS action:

- If all arrears cleared and no ongoing maintenance select:

We will transfer the child maintenance that we have received to you. Because this covers all of the arrears that you are owed, and you are not owed regular child maintenance payments, [add free text to enter what will happen now].

- If all arrears cleared but ongoing maintenance remains select:

We will transfer the child maintenance that we have received to you. You are still due regular child maintenance payments, and if [NRP name] doesn't keep to these payments we will take further action against him/her

- If all arrears under this LO are cleared but other arrears remain select:

We will transfer the child maintenance that we have received to you. You are still due payments to cover other arrears, and if [NRP name] doesn't keep to these payments we will take further action against him/her.

- If the arrears under this LO are cleared but other arrears and ongoing maintenance remain select:

We will transfer the child maintenance that we have received to you. You are still due regular child maintenance payments and payments for other arrears, and if [NRP name] doesn't keep to these payments we will take further action against him/her.

- If some arrears remain under this liability order and some or all of the payment is allocated to the receiving parent select:

We will transfer the child maintenance that we have received to you. Because this doesn't cover the full amount you are owed, we will look at taking further action against [NRP name]. We will be in touch about this separately.

- If some arrears remain under this liability order but none of the payment is allocated to the receiving parent select:

Unfortunately, the child maintenance that we have received covers a part of [NRP name]'s debt, but it is not owed to you. We will now look at taking further action against [NRP name] to collect the arrears that you are owed, and we will be in touch about this separately.

- If a payment arrangement has been made with the paying parent select:

We will start transferring any new payments that we receive to you. If [NRP name] doesn't keep to the payments we've agreed, we will take every appropriate action that we can under child support law to collect the maintenance you are owed

#### CMEL9079 We have stopped our order for sale action

Paying parent Notification of outcome of order for sale - Withdrawn - Not Appropriate.

All fields in this letter are system generated, no manual intervention is required

#### CMEL9080 We have stopped our order for sale action

To paying parent Notification of outcome of order for sale - Withdrawn - satisfactory payment/arrangement agreed

Under the heading We have stopped order for sale action select from the following paragraphs as required:

- if full payment made select:

You have now paid the full amount of arrears under the liability orders above so we have stopped our order for sale application.

- if part payment made select:

You have now made a payment towards the arrears under the liability orders above so we have stopped our order for sale application.

- if arrangement made select:

You have now made an agreement with us about how you will pay the arrears under the liability orders above so we have stopped our order for sale application.

Under the paragraph heading What this means for you select from the following paragraphs as required:

- If the paying parent no longer has any arrears select:

Your child maintenance arrears have been cleared and you have no other child maintenance payments to make, so we will now [free text to enter what will happen next]

- If the paying parent still has some of these arrears select:

The child maintenance arrears that you owe under the liability orders above have been partly cleared. We will take further action against you to get these arrears if you don't pay the rest of the outstanding arrears or keep to any arrangement that we've made with you.

If you want to avoid further action, you can pay what you owe immediately. The quickest way to pay is to call us on {service telephone} or visit {self service client website} and use your credit or debit card.

- If the paying parent no longer has any arrears but does have regular maintenance select:

Your child maintenance arrears have been cleared, but you still need to make regular child maintenance payments. If you want to stop us from taking action against you in future, you must make your child maintenance payments in full and on time.

- If the paying parent no longer has these arrears but does have other arrears select:

The child maintenance arrears related to the liability orders above have been cleared, but you still need to make payments for other arrears. We will take further action against you to collect these arrears if you don't pay in full and on time.

Remember, if you want to avoid further action, you can pay what you owe immediately. The quickest way to pay is to call us on {service telephone} or visit {self service client website} and use your credit or debit card.

If you want your payment to go towards paying off a liability order, you must give the liability order number as a reference when you make your payment.

- If the paying parent no longer has these arrears but does have ongoing maintenance and other arrears select:

The child maintenance arrears related to the liability orders above have been cleared, but you still need to make regular child maintenance payments and payments for other arrears. We will take further action against you if you don't pay in full and on time.

Remember, if you want to avoid further action, you should pay what you owe immediately. The quickest way to pay is to call us on {service telephone} or visit {self service client website} and use your credit or debit card.

If you want your payment to go towards paying off a liability order, you must give the liability order number as a reference when you make your payment.

Call us on {service telephone} or visit {service website} if you have any questions.

- If the paying parent still has these arrears select:

You must still contact us immediately and pay the child maintenance that you owe. If you don't, we will take further action against you.

The quickest way to pay is to call us on {service telephone} or visit {self service client website} and use your credit or debit card. Remember, if you want your payment to go towards paying off a liability order, you must give the liability order number as a reference when you make your payment.

- If arrangement made select:

You must keep to the arrangement that we have made with you. If you don't, we will take further action against you.

Remember, if you want to pay the arrears that you owe immediately you can use your credit or debit card over the phone. You can call us on {service telephone}.

#### CMEL9081 We have stopped our order for sale action

To paying parent - Notification of outcome of order for sale - Withdrawn – not granted.

Under the paragraph heading What you need to do now add freetext to the following paragraph as appropriate:

- We are writing to tell you that the court did not grant the order [freetext]. We have now stopped the order for sale action.

#### CMEL9082 We have now sold your property

To paying parent - Notification of outcome of order for sale – property sold, and debt cleared or partially cleared

- Use freetext to complete the paragraph heading We have now sold your [freetext field]

Under the paragraph heading What happens next select from the following paragraphs as required:

- If the paying parent no longer has any arrears select:

Your child maintenance arrears have been cleared and you have no other child maintenance payments to make, so we will now [free text to enter what will happen next]

- If the paying parent still has some of these arrears select:

The child maintenance arrears that you owe under the liability orders above have been partly cleared. We will take further action against you to get these arrears if you don't pay the rest of the outstanding arrears or keep to any arrangement that we've made with you.

If you want to avoid further action, you can pay what you owe immediately. The quickest way to pay is to call us on {service telephone} or visit {self service client website} and use your credit or debit card.

- If the paying parent no longer has any arrears but does have regular maintenance select:

Your child maintenance arrears have been cleared, but you still need to make regular child maintenance payments. If you want to stop us from taking action against you in future, you must make your child maintenance payments in full and on time.

- If the paying parent no longer has these arrears but does have other arrears select:

The child maintenance arrears related to the liability orders above have been cleared, but you still need to make payments for other arrears. We will take further action against you to collect these arrears if you don't pay in full and on time.

Remember, if you want to avoid further action, you can pay what you owe immediately. The quickest way to pay is to call us on {service telephone} or visit {self service client website} and use your credit or debit card.

If you want your payment to go towards paying off a liability order, you must give the liability order number as a reference when you make your payment.

- If the paying parent no longer has these arrears but does have ongoing maintenance and other arrears select:

The child maintenance arrears related to the liability orders above have been cleared, but you still need to make regular child maintenance payments and payments for other arrears. We will take further action against you if you don't pay in full and on time.

Remember, if you want to avoid further action, you should pay what you owe immediately. The quickest way to pay is to call us on {service telephone} or visit {self service client website} and use your credit or debit card.

If you want your payment to go towards paying off a liability order, you must give the liability order number as a reference when you make your payment.

Call us on {service telephone} or visit {service website} if you have any questions.

- If the paying parent still has these arrears select:

You must still contact us immediately and pay the child maintenance that you owe. If you don't, we will take further action against you.

The quickest way to pay is to call us on {service telephone} or visit {self service client website} and use your credit or debit card. Remember, if you want your payment to go towards paying off a liability order, you must give the liability order number as a reference when you make your payment.

#### CMEL9083 Action update - we are selling your property or asset

Notification to paying parent of outcome of order for sale – order for sale granted

Use freetext to complete the paragraph heading We have now sold your [freetext field]

#### CMEL9264 receiving parent witness statement

This is a receiving parent freetext form.

#### CMEL9271 Freetext letter

This letter is entirely freetext.

[Admin Account - Add To](#)

[Apply Costs](#)

[Arrears Negotiation and Missed Payments](#)

[Arrears Overview](#)

[Business Control System Checks](#)

[Investigative Action](#)

[Letters outbound - send to client](#)

[Manual Allocation Flag - Set Up](#)

[Order For Sale - Northern Ireland](#)

[Pretty Good Privacy \(PGP\)](#)

[Terminology Changes](#)

[Does an order for sale \(OFS\) only apply to property?](#)

No, an order for sale may also be granted against any other asset e.g. stocks and shares, or an interest in a trust.

Who can approve an OFS?

The final decision to approve the OFS can be made at Grade 7 level.

Can a paying parent stop the OFS going ahead?

Yes, if the paying parent makes full payment or partial payment plus arrears agreement the OFS can be prevented.