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**RATESETTER APPLICATION FORM**

Please complete the form in its entirety. Incomplete forms will cause delays to the application.

**MINIMUM CRITERIA**

Your client must satisfy the minimum criteria set out below:

* Aged 21 or over, a resident in the UK, and planning to stay in the UK for the duration of the divorce
* No pay-day loans within the last 6-months
* No unsatisfied CCJs and no satisfied CCJs of more than £100 in the last three years
* No individual voluntary arrangements, debt recovery orders, or bankruptcies
* No current arrears of more than 3-months
* The assets in the case must include a UK property and be sufficient to repay the loan(s)
* Expected net assets awarded to your client must be at least 3x the value of the loan

Can you confirm, to the best of your knowledge, if your client satisfies each of the above criteria?

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | No |  |

If not, please provide further details of the specific criteria which is unsatisfied below.

**Please note that when we assess an application, we will make a ‘soft search’ on your client’s credit file, which will be marked as a quotation. When subsequent loans are approved and drawn down we will record these on their credit file as an unsecured loan.**

**SOLICITOR’S DETAILS**

|  |  |
| --- | --- |
| Name of Firm |  |
| Name of Solicitor |  |
| Contact Number |  |
| Contact Email |  |
| Case Number |  |
| Client Bank Account Details (for the transfer of funds) |  |

**CLIENT’S DETAILS**

|  |  |  |
| --- | --- | --- |
| First Name (s) |  | |
| Last Name |  | |
| Maiden Name (if applicable) |  | |
| Date of Birth |  | |
| Home Address (the past 3 years of address history, including dates) | Address | Date Resided at Address |
|  |  |
| Correspondence Address (if different from above) |  | |
| Email Address |  | |
| Contact Telephone Number |  | |
| Mobile Number |  | |
| Occupation |  | |
| Part Time/Full Time |  | |
| Annual Salary | £ | |
| Dependants (age) |  | |
| Number of Years Married |  | |
| Name of Petitioner |  | |
| UK Resident (Y/N) |  | |
| Client will be remaining in the UK for the duration of the divorce proceedings (Y/N) |  | |
| Has the client instructed Solicitors in respect to this case before your Firm? (Y/N) |  | |

**SPOUSE’S DETAILS**

|  |  |
| --- | --- |
| Full Name |  |
| Maiden Name (if applicable) |  |
| Occupation |  |
| Annual Salary | £ |
| Spouse’s Acting Solicitor Name (individual) |  |
| Spouse’s Solicitor Firm Name (firm) |  |
| Spouse’s Solicitor SRA details |  |
| Correspondence Address |  |
| Spouse’s Solicitor Email Address |  |

**FINANCING THE CASE**

|  |  |  |
| --- | --- | --- |
| Tick which of the following is the next stage in the case | Pre-petition dispute resolution | *Please explain the detail of the dispute resolution process planned, including form of DR, expected cost, and timeframes* |
| Form A |  |
| First appointment |  |
| FDR |  |
| Final hearing |  |
| Amount required to the next stage in the case | £ | |
| Amount required for the whole case | £ | |

**DETAILS OF HOW THE LOAN WILL BE REPAID**

|  |
| --- |
| *Provide an explanation* |

**PROPERTY DETAILS**

|  |  |  |
| --- | --- | --- |
| OCE Title Number |  | |
| Is the property jointly owned or a tenancy in common (if the latter provide the % split) |  | |
| 1st Owner Full Name |  | |
| 2st Owner full name |  | |
| Freehold/Leasehold (if leasehold, length of lease remaining) |  | |
| Date of Purchase |  | |
| Original Purchase Price | £ | |
| Current Valuation (please attach an Estate Agent valuation) | £ | |
| 1st Line of Address |  | |
| Town |  | |
| Post Code |  | |
| Is the Property Mortgaged? (Y/N) |  | |
| Mortgage Provider |  | |
| Mortgage Account Number |  | |
| Mortgage Amount Outstanding | £ | |
| Other than the mortgage is there any other charges or restrictions on the property? (Y/N) |  | |
| If Yes | When was the charge issued? |  |
| What is the type of charge (Legal/ Equitable?) |  |
| Who issued the charge? |  |
| Why was the charge issued? |  |

**OTHER MATRIMONIAL ASSETS**

**PROPERTIES**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Address | Postcode | Market Value | Mortgage Balance Outstanding | Ownership Type |
|  |  | £ | £ |  |

**OTHER ASSETS**

|  |  |  |
| --- | --- | --- |
| Nature of Assets (i.e. cash, business assets, other chattels) | Value | Ownership Type |
|  | £ |  |
|  | £ |  |
|  | £ |  |

**LIABILITIES**

|  |  |  |
| --- | --- | --- |
| Mortgage Creditors/Overdrafts/Loan Creditors (including Credit Cards & HP) | Balance Outstanding | Credit Limit (if applicable) |
|  | £ | £ |

|  |  |
| --- | --- |
| **TOTAL MATRIMONIAL NET WEALTH**  **(i.e. Assets – Liabilities)** | £ |

**SUPPORTING DOCUMENTS**

|  |  |
| --- | --- |
| *Please attach the following documents, dated within the last 3 months* | *Tick to confirm inclusion* |
| Office Copy Entries for each Property |  |
| Property Valuation from a Local Estate Agent |  |
| Mortgage Statement for each Property |  |

**THE CASE**

|  |
| --- |
| Strategy for the Case *This section must be completed in detail* |
| *Provide a summary of the case, the best/worst case scenarios, including the split of assets and rationale* |
| Risks |
| *Explain any risks to the repayment of the loan* |
| Have settlement offers been made already? If so, please provide details |
|  |
| Has either party objected to the sale of the property/ies if required to repay the loan? |
|  |
| What is the likelihood of a Mesher order, and how can it impact the repayment on the loan? |
|  |
| Is your Client or their Spouse involved in any additional litigation? If so, please provide details |
|  |

**AUTHORISATIONS**

**I hereby confirm the above details are correct to the best of my knowledge and I undertake to inform you of any changes immediately.**

**Solicitor Name:**

**Solicitor Signature:**

**Date:**

**-------------------------------------------------------------------------------------------------------------------------------------**

**I hereby confirm the above details are correct to the best of my knowledge and I undertake to inform you of any changes immediately. I consent to the processing of my personal data in accordance with the data protection terms below.**

**Client Name:**

**Client Signature:**

**Date:**

**--------------------------------------------------------------------------------------------------------------------------------------**

**Only** sign below if a divorce petition **has not** been issued and the parties intend to enter into formal dispute resolution first.

**DECLARATION**

**I hereby confirm that the relationship with my spouse has broken down, and my spouse and I have decided to proceed with formal dispute resolution, following which a divorce petition will be filed.**

**Client Name:**

**Client Signature:**

**Date:**

**Data Protection**

References to ‘We’, ‘Us’ or ‘Our’ are references to Retail Money Market Ltd, trading as RateSetter. By ‘your information’ We mean the personal and financial information We obtain:

1. from you from this application and from any other application for Our products and services; or
2. from third parties (such as credit reference and fraud prevention agencies, other organisations who introduced Us or act on your or Our behalf and from other companies within Our Group).

You agree that We may also obtain your information from any other Group of companies with whom We have a business partnership. Such companies may tell Us about any other accounts you hold with them.

Any of your information which constitutes personal data under the General Data Protection Regulation (EU) 2016/679 (“**GDPR**”) or any implementing or successor legislation will be processed in accordance with these terms.

**The data We collect about you**

We may collect, use, store and transfer different kinds of personal data about you including:

* your name and contact details, including your address, phone number and email address;
* your date of birth;
* any other personal information you have provided directly to Us; and/or
* any personal data obtained from the public domain such as LinkedIn or business websites.

**Credit reference and fraud prevention agencies**

When you apply to Us to use Our services, We will check the following records about you to assess this application, check your creditworthiness and verify identities to prevent and detect fraud, money laundering and any other relevant crime.

* Our own.
* Personal and business records at credit reference agencies which will leave a search footprint on your credit file that may be seen by other lenders. Credit Reference Agencies supply Us with both public (including the electoral register) and shared credit and fraud prevention information.
* Those at fraud prevention agencies.

If false or inaccurate information is provided and fraud is identified, details will be passed to fraud prevention agencies. Law enforcement agencies may access and use this information. We and other organisations may also access and use this information to prevent fraud and money laundering, for example, when:

* checking details on applications for credit and credit related or other facilities;
* managing credit and credit related accounts or facilities;
* recovering debt; and
* checking details of job applicants and employees.

We and other organisations may access and use from other countries the information recorded by fraud prevention agencies.

This information may be supplied to other organisations by credit reference and fraud prevention agencies to perform similar checks and to trace your whereabouts and recover debts that you owe.

You have the right of access to your personal records held by credit reference and fraud prevention agencies.

The credit reference agencies We use are:

Experian, The Sir John Peace Building, Experian Way, NG2 Business Park, Nottingham, NG80 1ZZ

TransUnion, Consumer Services Team, PO Box 491, Leeds, LS3 1WZ or call 0330 024 7574 (Personal credit data only).

Call Us on 020 3142 6226 for details of the Fraud Prevention Agencies We use.

For security and training purposes We may record and/or monitor your use of Our website and e-mail and telephone communications between Us.

We may use cookies (small files stored on the hard drive of your computer, which do not harm your computer) to enable Us to record your preferences. However, We do not store any personal information that other organisations could read and understand about you and We do not monitor your visits to websites that are hosted by Us.

**How We use your personal data**

Under the GDPR and implementing legislation such as the Data Protection Act 2018 (“**Data Protection Law**”) We can only use your personal data if We have a proper reason for doing so. The table below explains what We process your personal data for and Our reasons for doing so:

|  |  |
| --- | --- |
| **What We use your personal information for** | **Our reasons** |
| To provide an initial quotation when applying for a loan | Our legitimate interest.  Ensuring customers have a clear understanding of the product they may be accepted for without having a detrimental effect on their credit rating |
| To make searches of Group records, credit reference agencies and fraud prevention agencies to manage your account with Us. | Fulfilling contracts |
| To manage Our existing relationship with you or your business | Fulfilling contracts |
| To manage the products and services you have with Us | Fulfilling contracts  Consent (special data only) |
| To keep you updated about Our products and services | Our legitimate interest.  Keeping new and existing customers up to date with the products and services they already have and with other relevant products and services We offer |
| To develop and test new and existing products, including analysing how Our customers use Our products and services | Our legitimate interest.  Identifying relevant consumer and customer groups and their needs and preferences, developing appropriate products and services, what We charge for them and to whom We provide them, ensuring products meet customers’ needs and expectations, so We can continue to improve Our customer experience and satisfaction |
| To provide guidance and information about Our products and services | Our legitimate interest.  Being efficient about how We fulfil Our legal duties  Ensuring customers have a clear understanding of the product they already have or are taking out |
| To improve, develop and manage Our brands, products and services | Our legitimate interest.  Developing products and services, what We charge for them and to whom We provide them  Being efficient about how We fulfil Our legal and contractual duties |
| To be able to work with other companies that provide services to Us and Our customers | Fulfilling contracts |
| To operate and provide lending and investment services | Fulfilling contracts |
| To handle payments received from and provided to customers | Fulfilling contracts |
| To apply charges, fees and interest due on customer accounts | Fulfilling contracts |
| To recover and collect money that is owed to Us | Fulfilling contracts |
| To share your information with anyone to whom We propose to transfer any of Our rights and/or responsibilities under any agreement We may have with you. | Fulfilling contracts |
| To detect, investigate, report and seek to prevent financial crime, including money laundering and to comply with anti-terrorism and other criminal laws | Our legal duty |
| To control risks for Us and Our customers | Our legitimate interest.  Developing products and services, what We charge for them and to whom We provide them  Complying with regulations that apply to Us  Being efficient about how We fulfil Our legal and contractual duties |
| To obey laws and regulations that apply to Us | Our legal duty |
| To respond to complaints and look to resolve them | Our legal duty |
| To run Our business in an efficient and proper way. This includes managing Our financial position, business capability, planning, communications, corporate governance, and audit. | Our legal duty |
| To exercise Our rights set out in agreements or contracts | Our legal duty |
| Statistical analysis and research | Our legitimate interest.  Developing products and services to promote responsible lending and helping to prevent over-indebtedness  Promoting products to interested parties with similar needs |

**How We share your personal data**

We may disclose your personal data to third party recipients in connection with the above purposes, including to third parties who We engage to provide services to or on behalf of Us and/or to competent regulatory authorities and bodies as requested or required by law.

In order to operate your account or provide services to you, We may need to transfer your information outside of the European Economic Area. If We do this, please be assured that We will put an agreement in place first to ensure that your information will be processed securely, confidentially and only in accordance with Our instructions.

**Retention of Data**

We will retain your personal data for so long as is necessary for the above purposes and for such a period of time thereafter as is necessary to comply with Our obligations under any applicable law and, if relevant, to deal with any claim or dispute that might arise in connection with any agreements We may have with you.

**Your rights**

Under certain circumstances, you have rights under Data Protection Law in relation to your personal data including the right to receive a copy of the personal data We hold about you and the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues. For further information on your rights please visit <https://ico.org.uk/your-data-matters/>.

**Contact Us**

We hope that We are able to resolve any query or concern that you raise about Our use of your information, so please get in touch if you have any questions or issues with this privacy notice or with how We are using your personal information in general by emailing Us at familyfinance@ratesetter.com or giving Us a call on 020 3142 6226. If you are dissatisfied with any response you receive from Us, you may refer your complaint to the ICO <https://ico.org.uk/make-a-complaint/>.