Legal Action Process

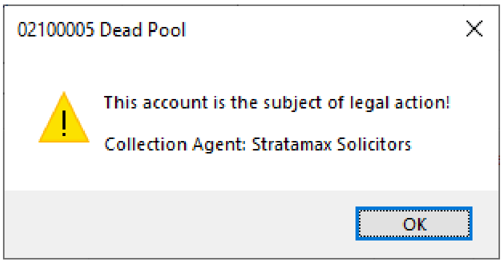
Last Modified on 13/05/2024 12:52 pm AEST

The instructions in this article relate to ***Legal Action.*** The icon may be located on your *StrataMax Desktop* or found using the *StrataMax Search*.

It is recommended to complete the *Legal Action Setup* prior to adding any lots.

Once an owner has been added to *Legal Action*, no further arrears notices will be issued. The system also warns that this owner is in *Legal Action* or *Payment Plan* in the following places:

- Roll
- Owner Information
- Certificates
- Receipt Entry



Create Agent

Creating a collection agent is maintained via ***Applicant Maintenance*** and accessed via the *Change Agent* button. This button manages each respective agency, including the internal Payment Plan types.

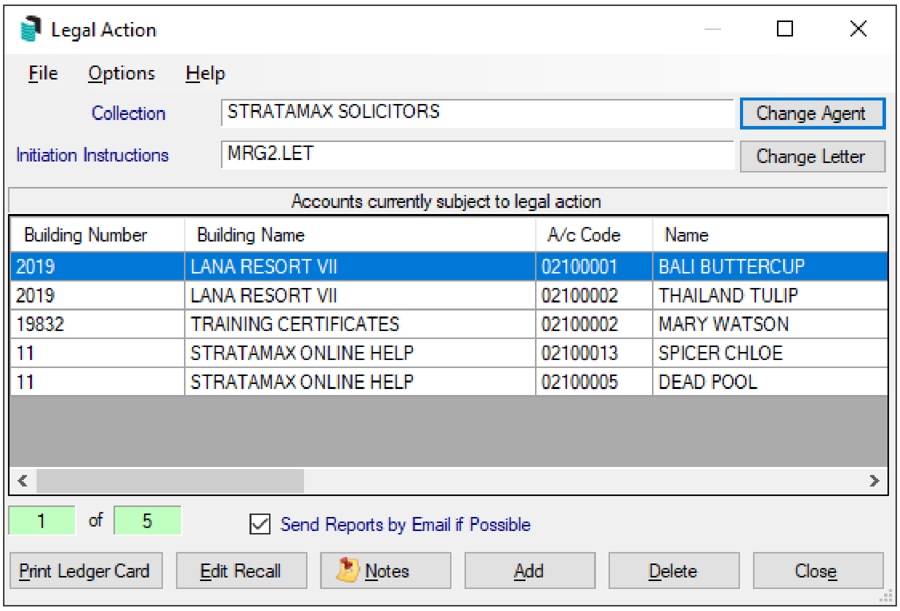
Add an Owner to Legal Action

When a lot is in arrears, and the final arrears notice has been issued from the ***Arrears Notice***, it can be added to *Legal Action* if required. Interest will continue to be charged even if the lot has been added to *Legal Action*, so if you want to stop charging interest on the lot, see *Not Charge Interest for One Owner*. This can be for an internal payment plan agent or a collection agent (third party collection agent)

1. Search for or select ***Legal Action.***
2. Click the *Change Agent* button to select or change the *Collection Agent*.
3. Click the *Change Letter* button to select or change the *Initiation Instructions* letter (a merge letter, set up in ***Merge Letters***).

   This does not need to included if not required.
4. Click the *Add* button.
5. Select the building and click *OK.*
6. Select the owner and click *OK.*
7. Select Option: Email / Email and Print / Print / No Print or Email / Close.

Repeat this process for each owner, remembering to change the collection agent and instructional letter when adding owners to different agencies/payment plans before selecting an owner.



Check that the correct agent and the correct instruction letter is also selected before you click *Add*. Click *Change Agent* or *Change Letter* if you need to change these. These would have been set up as part of the *Legal Action Setup* process.

Add Notes to an Owner in Legal Action

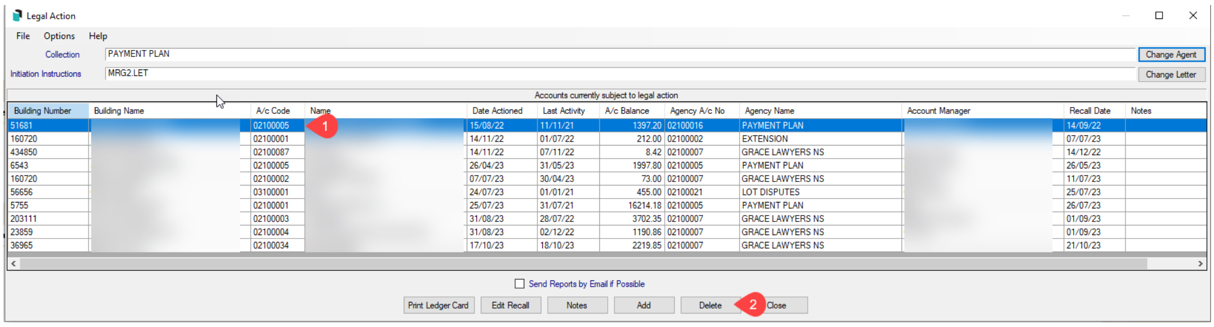
1. Search for or select ***Legal Action***.
2. Select the owner account to add a note to.
3. Click on *Notes* and enter the note into Notepad.
4. Click *OK.*

Remove an Owner from Legal Action / Adding to a different Legal Action Agent.

When the debt has been paid or the action has ceased, delete the record from Legal Action. This should be actively reviewed for each agent, including internal payment plan agents, as these lot accounts will not be included in the arrears process if they are still set in this area.

The legal action record and notes can still be viewed by selecting *File > View Archive*.

1. Search for or select ***Legal Action***.
2. Expand the window to full screen. Refer to the owner account with the relevant collection agent and click *Delete.*
3. Select the owner account to delete, and click *Delete.*



4. Click *Yes* to confirm the deletion of the account in legal action.
5. Make your selection from the Arrears Log Action to either:
   - 'Change Arrears Log to 'Notice 1''. This action will reset the arrears flag to type 1 and start the process again.

     or
   - 'Leave Arrears Log in its present state'. This action will leave the arrears flag in its current state (keeping in mind that this may be the end of the arrears schedule, so action with caution)
6. If no further action is required, click *Close* and *Close.*
7. If this lot account is to be added to a different collection agent, click *Change Agent,* select the Debt Collection from the list, and click *OK.*
8. Click *Add,* select the building, and click *OK.*
9. From the list of owners, select the lot account and click *OK*. Select a delivery preference for initiation instructions (if set). If no delivery preference is required, click *No Print or Email* (suggested for internal payment plan type)

Add Multiple Owners into Legal Action

Add multiple owners based on the days overdue and amount overdue for Debt Collection. This process would only be done for those owners who will be submitted to a debt collector and not to an internal collection agent.

1. Search for or select ***Legal Action***.
2. Select *Collection Agent* for the *Debt Collector*.
3. Select *Options > Overdue Report.*
4. Tag the required building/s and click *OK*.
5. Enter the required options for the report:
    - *Days Overdue*: enter the days overdue e.g. 90 (this will only report owners to add to legal action that are 90 days in arrears).
    - *Include Already in Legal Action:* 'N' for No
    - *Include Electricity:* have set to 'N' for No
    - *Set Clear Flag:* have set to 'N' for No
    - *Minimum Arrears Amount:* set a minimum arrears amount (i.e. $2,000.00)
    - *Include Already Issued Arrears:* have set to 'Y' for Yes
6. Click *OK.*
7. You will be asked to set the overdue days and the minimum arrears amount as the global default, click either *Yes* or *No*.
8. Select *Sort Preference* and click *OK.*
    - StrataMax will now run through the buildings and once this has finished a list of owners will be displayed.
9. Tag the owners that will now be added to the *Debt Collector* and click *OK.* No action will be taken for lots not tagged.
10. A message will now display *'Tagged records will be sent to Debt Collector Name for legal action. OK?'* Select *Yes*, if correct. If this not correct, select *Not.*
11. Click on the appropriate option to *Email* / *Email & Print* / *Print* / *No Print or Email.*
    - This function emails/prints the debt recovery letter and ledger card to the debt collector).

Arrears Manager

Arrears Manager is the same as the arrears manager in all areas. You may add notes from this menu, which are linked to the owner's notes. Refer to the *Arrears Manager* article for further information on how to use this feature.

Update and Print Ledger Cards

This function updates account balances and if there has been any activity on the owners account, it will automatically print the ledger cards.

1. Search for or select ***Legal Action***.
2. Select *Options* and select *Print Ledger Cards*.
3. Select the required debt collector/s and click *OK*.
4. If Building List appears; tag required buildings and click *OK*.
5. If there are no changes to the owner's balances then a message will appear *No records found for printing.*
6. If there are changes to the owner's balances then it will automatically print those ledger cards.

Update and Email Ledger Cards to Debt Collectors

This function updates account balances and if there has been any activity for any of these owners it will automatically email the ledger cards to the Debt Collector.

1. Search for or select ***Legal Action***.
2. Select *Options* and also *Email/Print Ledger Cards*.
3. Select the required Debt Collector/s and press *OK*.
4. If Building List appears; tag required buildings and click *OK*.
5. Tag the buildings and click *OK*.
    - If there are no changes to the owners balances then a message will appear 'No records found for printing!'
    - If there are changes to the owner's balances then it will automatically email those ledger cards to the debt collector/s

Update Only

This function updates account balances only, it is recommended to print the *Legal Action Report* prior.

1. Search for or select ***Legal Action***.
2. Select *Options* and also click *Update Only*.
3. When prompted *'....Are you sure you want to Update Only?'* Select *Yes*.
4. Tag the Debt Collector/s required and click *OK*.
5. Tag the buildings and click *OK*.
    - A message may show if there are no records to update.

Recall Days

The system allows you to set a default for recall days and to also set recall days for specific owners. The *Recall Date* is the date that you want to use as a date to review the case or take further action. It is intended to be used by the person who looks after *Legal Action* and would likely view the list of legal action cases on a regular basis.

The list can be sorted into *Recall Date* order for user selection. The date can be edited manually after a review. The initial recall date is set using the date of entry into ***Legal Action*** plus the number of days set in ***Set Auto Recall Days***.

Set Auto Recall Days as default (Will be applied to all buildings and all owners)

1. Search for or select ***Legal Action***.
2. Select *File* and then also *Set Auto Recall Days*.
3. Enter no. of days as a default and click *OK*.

Set recall date for individual owners or manually

1. Select the owner and scroll across until you see *Recall Date* column and then click *Edit Recall* button and enter the date and click *OK*.
2. Sort into *Recall Date* to review or send the report to *Excel* which will show you the *Recall Dates* (see reporting below).

Reporting

Print a Legal Action Report

The legal action report provides a list of all owners currently in debt collection with the original arrears value.

1. Search for or select ***Legal Action***.
2. Select *Options > Legal Action Report*.
3. Click on *Sort Preference*.
4. Select the appropriate sort preferences and click *OK*.
    1. To select an item, click on the *Select* button or double click in the *Order* column.
5. Select *Account Managers* – This selection allows you to print this report by account manager with the option to print a *New Page for Change to Account Manager* by ticking the box.
6. Select *Collection Agents* – This selection allows you to print this report by collection agent with the option to print a *New Page for Change to Collection Agent* by ticking the box.
7. Once your selections have been made, simply click *Print Report*.
8. Click *OK* to print report.

Agent Summary Report Only

This will print a separate summary report for each collection agent selected.

1. Search for or select ***Legal Action***.
2. Select *Options > Agent Summary Report Only.*
3. Tag the *Collection Agent* to report and click *OK.*
4. Tag all buildings and click *OK.*

Agent Summary Report Only to Excel

This will not print the summary report but open in Excel, the summary of which will have all collection agents listed on the one summary.

1. Search for or select ***Legal Action***.
2. Select *Options > Agent Summary Report Only to Excel.*
3. Tag the *Collection Agent* to report and click *OK.*
4. Tag all buildings and click *OK.*

Agent Summary Report with Statements

This will print the Summary Report with Ledger Card/Statements for the selected collection agents.

1. Search for or select ***Legal Action***.
2. Select *Options > Agent Summary Report with Statements.*
3. Tag the *Collection Agent* to report and click *OK.*
4. Tag all buildings and click *OK.*

View Archive

Archive is a record of all owners that have been added to Legal Action & subsequently deleted & includes notes.

1. Search for or select ***Legal Action***.
2. Select *File >View Archive.*
3. To view the note that was added, highlight an owner and click *Notes*. These notes can be viewed from the roll as well.

View Saved Log

1. Search for or select ***Legal Action***.
2. Click *File > View Saved Log.*