# Phoenix Project Ireland

# Terms and Conditions

**Scope of Phoenix Project Ireland**

We would like to give you some idea of how this organisation operates and what you can expect from us as the transaction progresses.

**About us**

The Phoenix Project Ireland is a registered Irish charity set up to the effects of the current financial crisis on people across Ireland. The charity will provide support and professional advice to people who are in mortgage arrears as a result of the severe economic downtown. We operate a support centre consisting of:

* Insolvency, Bankruptcy
* Financial advice and support centre
* Stress and resilience support centre
* Social welfare centre

**Free Service**

Our service is free to our clients. We are funded by independent Donors and welcome all donations no matter how small. We charge fees only when these can be recovered from third parties either in litigation or in settlement negotiations with creditors and any fees recovered in this way are applied for the benefit of the service.

**Responsibility for work**

Each of the advice and support centres operates independently of the other, under the Phoenix Project Ireland umberella.

**Statement of our objectives**

We aim to provide our clients with an efficient professional service empowering and helping clients in managing and resolving their mortgage debt. Where clients are happy to liaise with creditors, legal advisers, state agencies, the courts service or other relevant agencies themselves we will advise and encourage them to inform them that we are in the background to support them. Alternatively, when clients require more support we will endeavour to provide it against the background of our ever increasing client demand.

This service has a non- discrimination policy and will not refuse to act for any client on the basis of gender, race, colour, ethnic or national origins, creed, disability or sexual orientation.

You are our client and we will deal with you alone and represent your interest. We owe you a formal duty of confidentiality which we will scrupulously observe.

**Action required by you**

It is your responsibility to consult each part of the service independently and separately on any requirement queries that you have that we may be able to assist you with.

It is your responsibility to provide accurate and complete information; we will not be responsible for any consequences arising out of your failure to provide precise, complete and up to date instructions. You must notify us of any incorrect statements of which you become aware.

It is your responsibility to let us know if matters become more urgent and need to be dealt with more quickly than first outlined.

If we request information from you or further instructions then you must revert to us at the earliest opportunity. If we are relying on these instructions/information to draw up any documentation for you, time will be required to review the instructions / information, and to draw up the necessary documentation required.

If you fail to respond to any attempts on our part to contact you we will take it that you no longer require our assistance and cease work on your file.

We may require you to attend at this office for the purpose of reviewing your files and to discuss developments in your case/s since commencement.

**Limitation of Liability**

As we are a charity we are using our best endeavours to assist you at all times. If you request it our financial advisors will advise you on using the MARP and other Central Bank Codes and assist you in completing necessary Documentation. If you request it we will also advise you on the legal rights to recover against you your lenders have. We cannot advise you on any future likely outcome of any distressed loan except the legal options available to lenders and distressed debtors under existing law. If and when resolution proposals are in place that involve restructuring your mortgage please ensure you consult us about advice suitable to you before proceeding. We will not accept liability for any loss you may perceive you have incurred at any time regarding the final outcome of your debt problem.

**Communication**

You can contact us by phone and you may also contact us by email. Unless you request otherwise we will contact you via email, post and telephone. We will respond to phone calls in the same working day if possible, and if not, by the following day. Appointments to see staff can be made through our reception as all our services prefer to take instructions and give advice in person because of the complex issues involved. It is our organisation’s policy not to accept important instructions by email – they must be confirmed at a meeting or by letter at our discretion.

**Contact**

Again, as we are with limited resources we would ask you to keep in contact with us with any queries that arise and not to assume our on-going attention if we are not being kept updated.

**Standard of Service**

This organisation’s policy is to review the files regularly, in order to ensure that the matter progresses efficiently. As other parties are involved in your transaction we cannot control how they will deal with the matter. However, we will do all in our power to look after your interests and keep up the pressure to keep things progressing.

**Complaints**

If you are not satisfied with our service, please contact us and we will try to resolve the difficulty. If we cannot resolve your concerns then the problem should be reported to Mr William Prior who is the C.E.O and the Complaints Manager and who has authority to finally resolve your concerns. We will ensure that your problems are dealt with quickly. We value any opinions or suggestions you may have to improve our service.

**Client Identity Checks**

This organisation is required by law to obtain evidence of identification and proof of address for security purposes, even if you are known personally to us or have had dealings with us in the past.

**Please provide the following documentation:-**

* One form of photo identification (passport or driver’s licence)
* Evidence of your present address (a current utility bill can be used for this)
* Copies of the last 3 months bank accounts statements both for any loan account and your working account / overdraft account.
* A copy of the last set of accounts completed by your accountant for the business, if applicable Details of all assets and liabilities (to include land, farm buildings, livestock and machinery if applicable).
* 3 months’ payslips / Social Welfare receipts.
* Details and supporting documentation i.e. copies of bank statements for any other lending institutions and details of repayment arrangements.
* Copy of all relevant Mortgage correspondence.(We enclose **Data Protection Act Application Forms** which you should complete and send to your lender if you do not have copies of all documentation signed by you. Once you receive any such documents from your lender we recommend you go through them in detail to ensure they are in order and if you have any queries you can address them with us.)
* Copies of all correspondence and previous letters you have received from all lenders. All documentation from your Banks, Credit Unions, Visa Accounts etc., pertaining to all debts you have.
* Please complete the attached financial statement and letter of authorisation and return to us.

**Dignity in the workplace**

The Phoenix Project respects the rights to dignity in the workplace for all its employees so will deal with harassment, the use of foul or abusive language or threatening behaviour by requesting the offending client to leave the building and all services being provided by the Phoenix Project to the offending client will cease.

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