MY CASE

Anonymised Example Correspondence Pack

Mortgage disputes, fees, authority, complaints, enforcement and disclosure

No names, addresses, account numbers, property addresses, telephone numbers, email addresses or other personal identifiers are contained in this pack.

These are examples to adapt. They are not legal advice. Do not send statements you cannot evidence. Court steps and settlement correspondence can have costs or legal consequences.

Prepared for the Rooftop Mortgages Public Complaints & Decisions Archive

Contents

Placeholders are shown in square brackets. Delete any paragraph that does not apply to your circumstances.

1. Subject Access Request for mortgage account records

Use this when: you want copies of your personal data held by the lender or servicer, including account notes, recordings and enforcement-related personal data.

Important: A Subject Access Request is a request for personal data. It is not automatically a right to every commercial document, assignment deed, legal advice or privileged communication.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Subject Access Request - mortgage account [ACCOUNT REFERENCE]

Please treat this as a Subject Access Request under Article 15 UK GDPR and the Data Protection Act 2018.

Please provide a copy of the personal data you hold about me in connection with the above mortgage account. In particular, please include personal data contained in:

- account notes, servicing notes and internal contact logs;
- telephone recordings, transcripts, call notes and call metadata;
- records concerning arrears, financial difficulty, forbearance or payment proposals;
- records concerning enforcement decisions, field-agent activity, solicitor involvement, receiver consideration or possession action;
- records concerning the occupation, use, sale, letting or condition of the mortgaged property where those records relate to me;
- complaint-handling notes and internal communications containing my personal data;
- records of personal data disclosed to third parties, including the identity or categories of recipients where applicable;
- correspondence, emails, SMS records and other communications concerning me or my account.

Please provide the data electronically where possible.

If any material is withheld or redacted, please explain the basis so far as you are required to do so. If you need further information to verify my identity, please tell me promptly and limit the request to what is reasonably necessary.

Yours faithfully,

[YOUR NAME]

2. Request for an itemised breakdown of fees and legal costs

Use this when: charges appear on the account but you cannot tell what they are for or how they were calculated.

Important: Asking for a breakdown does not itself suspend arrears action, interest or enforcement.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Account reference: [ACCOUNT REFERENCE]

Please provide an itemised breakdown of every fee, charge and cost applied to this account from [DATE] to the present.

For each item, please state:

1. the date it was applied;
2. the amount;
3. a description of what it was for;
4. the provision of the mortgage conditions or tariff relied upon, including the tariff version in force on that date;
5. where the charge represents a third-party cost, the identity of the third party and a copy of the invoice, fee note or equivalent evidence of the cost;
6. whether interest has been applied to the charge, and if so the rate, period and contractual basis.

Please also provide a running total showing the current balance attributable to fees, legal costs, enforcement costs and interest applied to those amounts separately from ordinary mortgage principal and contractual mortgage interest.

If any part of this information will not be provided, please identify the information withheld and explain why.

Yours faithfully,

[YOUR NAME]

3. Challenge to a specific legal or enforcement fee

Use this when: a particular legal, solicitor, field-agent, receiver or enforcement fee has been added and you have not been given enough information to understand it.

Important: Do not state that a fee is unlawful merely because you have not yet seen an invoice. Ask the lender to evidence and justify it.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Account reference: [ACCOUNT REFERENCE]

Disputed charge: [AMOUNT] described as [DESCRIPTION]

I dispute the above charge pending proper explanation and supporting evidence.

Please confirm:

1. the identity of the person or firm whose work generated the charge;
2. the date they were instructed and by whom;
3. the work said to have been carried out;
4. the date the cost was incurred;
5. whether the amount includes VAT;
6. the invoice, fee note or equivalent documentary evidence supporting the amount;
7. the mortgage term and/or tariff provision relied upon for passing the cost to my account;
8. whether interest has been or will be charged on the amount, and the contractual basis for doing so.

Until that information is provided, please mark the charge as disputed in your records.

If you maintain that the charge is fair and recoverable, please provide a reasoned written response addressing the points above.

Yours faithfully,

[YOUR NAME]

4. Request for confirmation of entitlement to receive repayment and give good discharge

Use this when: you need to establish who can safely receive full repayment so that the debt is discharged and the registered charge can be released.

Important: This is a practical request for certainty about payment and discharge. It is not, by itself, a basis for withholding contractual payments.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Account reference: [ACCOUNT REFERENCE]

Property: [PROPERTY]

Please confirm in writing the person or entity presently entitled to receive full repayment of the mortgage debt so that payment of the amount properly due will fully discharge my liability under the mortgage.

In particular, please confirm:

1. the current registered proprietor of the charge;
2. the entity entitled to issue a binding redemption statement;
3. the entity to whom redemption monies should be paid;
4. that payment in accordance with that redemption statement will constitute full and effective discharge of the mortgage debt;
5. that, following receipt of the redemption monies, the registered charge can be discharged without the further concurrence of any other creditor, assignor or person;
6. whether any other entity has an interest which affects the ability to give that full discharge.

If the entitlement to receive repayment or give discharge arises through an assignment, transfer or other transaction, please identify the document or legal mechanism relied upon and the effective date.

If payment is to be made to a servicer or administrator rather than directly to the registered charge holder, please confirm that such payment binds the person entitled to the debt and gives the same full discharge.

Yours faithfully,

[YOUR NAME]

5. Request for clarification of servicer or administrator authority

Use this when: letters or demands come from a servicer, administrator or other company rather than the entity named as lender or registered charge holder.

Important: Use this to clarify capacity and scope. The existence of a servicer or administrator is normal and does not itself invalidate the mortgage.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Account reference: [ACCOUNT REFERENCE]

Correspondence concerning this account has been sent by [SERVICER / ADMINISTRATOR]. Please confirm the capacity in which that entity acts and the identity of the party on whose behalf it acts.

Please also confirm whether [SERVICER / ADMINISTRATOR] is authorised to:

1. administer the account and communicate with me;
2. receive contractual monthly payments;
3. issue or communicate a binding redemption figure;
4. receive full redemption monies in a manner which binds the person entitled to the debt and gives me full discharge;
5. agree or reject forbearance and repayment proposals;
6. add fees or charges to the account;
7. instruct solicitors, field agents or receivers;
8. make or implement enforcement decisions.

Please identify the date from which the authority has applied.

I do not seek commercially irrelevant information. If the underlying agreement contains confidential material, documents or extracts sufficient to evidence the relevant authority will suffice.

Yours faithfully,

[YOUR NAME]

6. Formal complaint to the lender or servicer

Use this when: you want the business to investigate specific conduct and issue a formal response.

Important: Keep the complaint focused on facts, documents and the outcome you want. Separate disputed facts from allegations and avoid unnecessary legal conclusions.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Complaints Team,

FORMAL COMPLAINT

Account reference: [ACCOUNT REFERENCE]

Please treat this letter as a formal complaint.

The issues I ask you to investigate are:

1. [ISSUE 1 - state the act or omission and date];
2. [ISSUE 2];
3. [ISSUE 3];
4. [ISSUE 4].

The key chronology is:

- [DATE] - [EVENT]
- [DATE] - [EVENT]
- [DATE] - [EVENT]

The documents I rely upon are attached and listed at the end of this letter.

I say the account has been handled unfairly because [SHORT EXPLANATION LINKED TO THE FACTS].

To resolve the complaint, I ask you to:

1. [OUTCOME SOUGHT 1];
2. [OUTCOME SOUGHT 2];
3. [OUTCOME SOUGHT 3].

Please investigate each issue separately and provide a reasoned final response identifying the evidence and account terms relied upon.

Yours faithfully,

[YOUR NAME]

7. Property mitigation, sale or letting update

Use this when: the property is being sold, let, repaired or otherwise actively managed and you want the lender to consider the current facts before escalating.

Important: Attach evidence. A general statement that a sale or letting may happen is much weaker than current marketing particulars, agent details, offers, works invoices and realistic dates.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Account reference: [ACCOUNT REFERENCE]

Property: [PROPERTY]

I am writing to provide a current factual update on the property and the steps being taken to maximise its sale and/or rental value.

The current position is:

- Property status: [OCCUPIED / VACANT / INTERMITTENTLY OCCUPIED / TENANTED];
- Current marketing position: [DETAILS];
- Agent: [NAME / FIRM];
- Asking price / proposed rent: [AMOUNT];
- Viewings / offers / feedback: [DETAILS];
- Works or remedial steps completed or under way: [DETAILS];
- Expected next milestone and date: [DETAILS].

Evidence supporting this update is enclosed.

These steps are intended to preserve and maximise the value of the secured property and reduce the loss to all parties.

Please confirm that this information has been considered before any further enforcement decision is taken. If you require further information to assess the proposal, please identify it specifically.

Yours faithfully,

[YOUR NAME]

8. Request for an enforcement standstill while a proposal is considered

Use this when: you have a specific, evidenced sale, refinance or payment proposal and enforcement is threatened or under way.

Important: Send evidence and realistic dates. A standstill is a request, not an automatic right.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Account reference: [ACCOUNT REFERENCE]

I ask you to hold any further enforcement step while the following proposal is considered.

Proposal: [SET OUT THE PROPOSAL]

Evidence enclosed: [LIST]

Expected completion / review date: [DATE]

The proposal is intended to improve recovery and avoid additional enforcement costs being added to the account.

Please confirm that no further enforcement step will be taken until [DATE] while the proposal and evidence are considered.

If you are not willing to agree a standstill, please provide in writing:

1. your reasons;
2. the information or change in circumstances that would cause you to reconsider;
3. the next enforcement step contemplated and expected timing;
4. the costs you expect to add to the account if that step is taken.

If this request is declined without a reasoned assessment of the evidence, please treat this letter as a complaint.

Yours faithfully,

[YOUR NAME]

9. Without prejudice settlement proposal

Use this when: you want to make a genuine attempt to compromise a disputed mortgage or arrears position without admitting the whole claim.

Important: Settlement privilege is fact-sensitive. Use 'Without Prejudice' only for a genuine attempt to settle an existing dispute. Get legal advice before making a substantial settlement offer.

WITHOUT PREJUDICE AND SUBJECT TO CONTRACT

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Account reference: [ACCOUNT REFERENCE]

I make this proposal in a genuine attempt to resolve the dispute and avoid further cost.

Without admission of the amount claimed or waiver of any existing dispute, I offer [AMOUNT / TERMS] in full and final settlement on the following basis:

1. payment will be made by [METHOD] within [PERIOD] of written acceptance;
2. the payment will constitute full and final settlement of the mortgage debt and all arrears, fees, legal costs, interest and other sums claimed under the account, except as expressly stated otherwise;
3. the registered charge will be discharged promptly following cleared funds;
4. neither party will pursue the other for any further sum arising from the mortgage account, subject to the agreed settlement terms;
5. [OPTIONAL ADDITIONAL TERM].

This proposal remains open until [DATE / TIME] unless withdrawn earlier in writing.

If the proposal is not acceptable, I invite a counter-proposal so that the parties can explore whether settlement is achievable.

Yours faithfully,

[YOUR NAME]

10. Referral of a complaint to the Financial Ombudsman Service

Use this when: you have a final response you disagree with, or the business has not issued a final response within the applicable complaint period.

Important: Check the current FOS time limits and jurisdiction before sending. Some buy-to-let complaints may fall outside FOS jurisdiction.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Financial Ombudsman Service,

Complaint about: [BUSINESS]

Account reference: [ACCOUNT REFERENCE]

Final response dated: [DATE] / Complaint made on [DATE] and no final response received

I would like the Financial Ombudsman Service to consider this complaint.

The complaint in summary is:

[SHORT SUMMARY]

Chronology:

- [DATE] - [EVENT]
- [DATE] - [EVENT]
- [DATE] - [EVENT]

The specific acts or omissions I complain about are:

1. [ISSUE 1];
2. [ISSUE 2];
3. [ISSUE 3].

The impact on me has been:

[FINANCIAL LOSS / DISTRESS / INCONVENIENCE / OTHER IMPACT, WITH EVIDENCE WHERE POSSIBLE]

The outcome I ask FOS to consider is:

1. [OUTCOME 1];
2. [OUTCOME 2];
3. [OUTCOME 3].

Documents enclosed: [LIST].

Yours faithfully,

[YOUR NAME]

11. Response to an investigator's view and request for an Ombudsman decision

Use this when: an FOS investigator has issued a view you do not accept.

Important: Do not simply repeat the original complaint. Identify what the view got wrong, what evidence was not addressed and why the fair-and-reasonable analysis should change.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear [INVESTIGATOR],

FOS reference: [REFERENCE]

Thank you for your view. I do not accept it.

Please treat this as my formal response and, if the view is not changed, as my request that the complaint is referred to an Ombudsman for a final decision.

My principal reasons are:

1. The view has not addressed the complaint as actually framed: [EXPLAIN].
2. The following material issue was not answered: [ISSUE].
3. The following evidence was not addressed or was given insufficient weight: [EVIDENCE].
4. The view relies on [ASSERTION / DOCUMENT / CONTRACT TERM] without explaining why that evidence is sufficient: [EXPLAIN].
5. The fair-and-reasonable assessment does not adequately address [RELEVANT FCA RULE / GUIDANCE / INDUSTRY PRACTICE / CIRCUMSTANCE].

I am not asking FOS to determine a question which only a court can finally determine. I am asking FOS to decide whether the business acted fairly and reasonably in the circumstances and to explain the evidence and standards relied upon.

The following issues remain outstanding and should be considered by the Ombudsman:

- [UNANSWERED ISSUE 1]
- [UNANSWERED ISSUE 2]
- [UNANSWERED ISSUE 3]

Further evidence enclosed: [LIST].

Please confirm that the complaint will be referred to an Ombudsman if the investigator's view is maintained.

Yours faithfully,

[YOUR NAME]

12. Response to threatened receiver appointment

Use this when: a lender or servicer has threatened receivership and you need the precise basis, purpose, cost and current factual assessment put in writing.

Important: Receivership law differs between mortgage types and facts. Do not state that a receiver cannot lawfully be appointed unless you have specific advice supporting that position.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Account reference: [ACCOUNT REFERENCE]

Property: [PROPERTY]

I refer to your stated intention to appoint a receiver.

Before that step is taken, please provide a reasoned written explanation identifying:

1. the contractual and/or statutory power relied upon;
2. the purpose of the proposed appointment;
3. the identity of the proposed receiver or receiver firm, if known;
4. the proposed receiver's anticipated fees and costs and whether those sums will be added to the account;
5. the current information about the property, occupation, sale, letting and my circumstances which was considered before the decision was made;
6. the alternatives to receivership which were considered and why they were rejected.

For the avoidance of doubt, the current factual position is: [SET OUT CURRENT OCCUPATION / SALE / LETTING / MITIGATION POSITION BRIEFLY]. Supporting evidence is enclosed.

I ask that no receiver is instructed or appointed until this information and evidence have been considered and a reasoned response has been provided.

I remain willing to cooperate with reasonable valuation, inspection, sale, letting or other asset-preservation steps by prior written arrangement.

Yours faithfully,

[YOUR NAME]

13. Notice before application for pre-action disclosure under CPR 31.16

Use this when: specific documents have been requested and refused or not provided, and genuine substantive proceedings are contemplated.

Important: This is a court-related step with costs consequences. The document categories must be narrow and relevant to anticipated proceedings. Take legal advice before using it.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

NOTICE BEFORE APPLICATION FOR PRE-ACTION DISCLOSURE UNDER CPR 31.16

Account reference: [ACCOUNT REFERENCE]

I have previously requested limited documents concerning the rights and sums being asserted against me. Those documents have not been provided.

Unless the documents below are provided within [7 / 14] days, I intend to consider an application to the County Court under CPR 31.16 for pre-action disclosure.

The documents requested are:

1. the mortgage deed and current mortgage terms relied upon, together with the document or documents relied upon as establishing the person entitled to receive full repayment and give effective discharge;
2. documents sufficient to evidence the relevant authority of any servicer or administrator relied upon as authorised to receive repayment, add charges, instruct solicitors and/or progress enforcement;
3. documents supporting legal and enforcement fees added to the account, including the invoice or fee note for [SPECIFIC CHARGE], and the contractual provisions relied upon for adding those costs and charging interest upon them;
4. the contractual and/or statutory provision relied upon for the threatened appointment of receivers and, if one has been approached, any instruction or draft instruction identifying the receiver, purpose and anticipated cost.

These are discrete classes of documents going directly to anticipated proceedings concerning [BRIEFLY IDENTIFY THE ANTICIPATED CLAIM OR RELIEF].

The parties are likely to be parties to those proceedings, the requested documents would be directly relevant to the issues requiring determination, and disclosure now may substantially narrow or resolve the dispute and save costs.

If any requested document is withheld, please identify the document or class and the ground relied upon.

Please also confirm that no receiver will be instructed or appointed during the period allowed for compliance. If enforcement is intended before then, please notify me immediately.

If an application becomes necessary, I will place this correspondence before the court on the question of pre-action conduct and costs.

Yours faithfully,

[YOUR NAME]

14. Covering letter enclosing draft CPR 31.16 application and seeking consent

Use this when: you have prepared a draft N244, witness statement and draft order and want the other side to consent before you file.

Important: Sending a draft does not itself start court proceedings. If you file, court fees and costs risks arise. Consider any effect on an ongoing FOS complaint and take legal advice.

[YOUR NAME]

[YOUR ADDRESS]

[DATE]

Dear Sir or Madam,

Account reference: [ACCOUNT REFERENCE]

Please find enclosed my draft N244 application, supporting witness statement and proposed order for pre-action disclosure under CPR 31.16.

Before filing the application, I am giving you the opportunity to consent to the draft order.

Please confirm by [TIME / DATE] whether you consent to the order in the terms attached.

If you do not consent, please confirm that position expressly. I intend to place this correspondence before the Court as part of the application and on the question of pre-action conduct and costs.

Given that the proposed application concerns the asserted entitlement to repayment, authority of parties acting in relation to the account, legal and enforcement costs, and threatened enforcement, I also request that the present position is preserved pending either agreement of the order or determination of the application.

[IF A FOS COMPLAINT IS LIVE: This request is also made in light of the continuing Financial Ombudsman Service consideration of the same underlying conduct.]

Please therefore confirm that pending resolution of the application no receiver will be instructed or appointed and no further enforcement step will be taken which materially alters the present position.

If you intend to refuse that standstill, please say so expressly when responding to the request for consent.

Unless I receive confirmation of consent by the deadline above, I intend to proceed with filing the application.

Yours faithfully,

[YOUR NAME]

Official sources to check before use

Rules, guidance and time limits can change. Before using a formal template, check the current version of the relevant source.

- Financial Ombudsman Service - how to complain and published mortgage decisions: https://www.financial-ombudsman.org.uk/
- FCA Handbook - MCOB and DISP: https://handbook.fca.org.uk/
- Civil Procedure Rules - CPR 31.16 and Part 23: https://www.justice.gov.uk/courts/procedure-rules/civil/rules
- Mortgage Possession Pre-Action Protocol: https://www.justice.gov.uk/courts/procedure-rules/civil/protocol/prot_mha
- Information Commissioner's Office - Subject Access Requests: https://ico.org.uk/for-the-public/getting-copies-of-your-information-subject-access-request/
- HM Land Registry - title and charge information: https://www.gov.uk/search-property-information-land-registry

Publication note: This pack uses placeholders only and contains no personal account information. Before publishing any completed letter or exhibit, redact names, addresses, account numbers, signatures, phone numbers, email addresses and any third-party personal data unless there is a lawful and necessary reason to publish it.