A close-up of a document

Description automatically generated

# **Data Protection Notice**

When we provide our services to you, we will collect personal information about you (and others). We want to be open and transparent with you as to the types of information we collect about you, why we collect it, how we use it and who we may share it with.

We ask you to provide personal information by filling in this form and/or by corresponding with us by phone, e-mail or letter.

We will never ask you to provide proof of identity, address or income, however, the personal information we collect is required to carry out the relevant assessment. We require your personal and financial information so that we can provide a professional service to you. We collect and process this personal information for our legitimate business interests.

We may disclose your personal information to third parties where you have provided agreement for us to do so such as to apply for a Decision in Principle application with a mortgage provider or where we are required to do so by a Court Order, regulatory authority or any other third party with the lawful right to request and receive the personal information we hold about you. A Decision in Principle application will involve a soft credit check being made against your credit history. A soft credit check is an inquiry into your credit report that does not affect your credit score. This type of credit check can be initiated by you or a company, even if you didn't apply for credit. Soft credit checks are commonly used for preapproving financing offers, background checks, or when you check your own credit report.

* They do not impact your credit score.
* They can occur without your explicit permission.
* They are used by potential employers, financial institutions, and credit card companies to screen for preapproval offers.
* They are listed on your credit report but are not visible to potential creditors.

We may also use your personal information where it is necessary for us to take legal advice to establish our legal rights, to bring a claim against you or any related parties or to defend a claim from you or any related parties.

You have the following data protection rights:

* If you wish to access, correct, update or request deletion of your personal information, you can do so at any time by contacting us.
* In addition, you can object to processing of your personal information, ask us to restrict processing of your personal information or request portability of your personal information. Again, you can exercise these rights by contacting us.
* You have the right to opt-out of marketing communications we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing e-mails we send you. To opt-out of other forms of marketing (such as postal marketing or telemarketing), then please contact us.
* Similarly, if we have collected and processed your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
* You have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority <http://ec.europa.eu/justice/data-protection/article-29/structure/data-protection-authorities/index_en.htm>.

**Data retention**

We retain personal information we collect from you where we have an ongoing legitimate need to do so, for example:

* To provide you with a product or service you have requested us to provide.
* To perform our contractual obligations to you.
* To comply with applicable legal, tax or accounting requirements.
* To defend or manage any claims or complaints between us, you and any relevant third party including taking legal advice in respect of such claims in order to establish, exercise or defend our legal rights or such claims. This would include complaints and claims which you may bring against us, or which are submitted to a court, regulatory authority or ombudsman.

When we have no ongoing legitimate need to process your personal information, we will either delete or anonymise it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible. We can confirm that we do not request ‘special category data’.

**Client Agreement**

Mortgage Capacity Assessments is a trading style of Simpson Financial Services Limited. Simpson Financial Services Ltd is authorised and regulated by the Financial Conduct Authority (FCA). Our FCA Number is 472031. You can check this on the FCA’s Register by visiting the website <https://register.fca.org.uk/> or by contacting the FCA on 0800 111 6768. The Financial Conduct Authority, 12 Endeavour Square, London, E20 1JN.

**Our commitment to you:** Simpson Financial Services Limited takes all our regulatory responsibilities very seriously and we ensure that all our staff are required to demonstrate their competence to undertake their role and our business is structured in a manner that is designed to meet in full all the requirements set by our regulator, the Financial Conduct Authority, and under European Securities and Market Authority rules.

**Our duty**: As set out in the ‘Particular duties of an expert as set out in Practice Direction 25B (The Duties of an Expert, the Expert’s Report and Arrangements for an Expert to Attend Court)’ our duties as an expert in mortgage capacity assessments are as follows:

(1) It is the duty of experts to help the court on matters within their expertise.

(2) This duty overrides any obligation to the person from whom experts have received instructions or by whom they are paid.

**Complaints:** If you wish to register a complaint, please contact us in writing at the address at the front of this agreement or telephone us on 0800 6342 111.

If you cannot settle your complaint with us, you may be entitled to refer it to the Financial Ombudsman Service. <http://www.financial-ombudsman.org.uk>

**Our Mortgage Capacity Assessments**

There are different reports depending on the legal stages of your financial separation and/or your individual requirements:

* Our Indicative Mortgage Capacity Assessment is available individually at

£149 per person.

* The FDR MCA costs £399 for a basic report which covers one scenario.
* A joint instruction can be undertaken at a cost of £699.
* If you’ve already purchased an indicative report, the FDR MCA prices are reduced to £250 (single) or £400 (joint).
* Additional scenarios cost £50 each and our express service also costs an additional £75.
* The FDR assessment can be updated for your final hearing at a cost of £149 (joint), £99 (single) or £75 (no MCA).
* Occasionally, it might be clear, based on your finances, that you are not able to obtain a mortgage. In these circumstances we can provide a "No Mortgage Capacity Report". This type of report costs £149.

**I am aware of the costs of a mortgage capacity assessment and agree to the method and timing of these. I also agree to the use of my personal data:**

Client name:

Client signature:

Date of signing:

I consent to an application form being submitted on my behalf to a mortgage lender to obtain a decision in principle\* **Yes / No** (delete where appropriate)

\*Please note, this will be a 'soft credit check' and therefore will not affect your credit score.

**Client Information**

**Important Dates**

|  |  |
| --- | --- |
| If the mortgage capacity assessment is required for a specific date or Court Hearing, please confirm the following: |  |
| Divorce | Yes/No Case Number: |
| Mediation Date |  |
| FDR Hearing Date |  |
| Final Hearing Date |  |

Personal Details

|  |  |
| --- | --- |
| Title |  |
| First Name |  |
| Surname |  |
| Date of Birth |  |
| Age |  |
| Retirement Age OR age any new mortgage should end, if  different |  |
| Nationality |  |

Contact Details

|  |  |
| --- | --- |
|  | Client One |
| Phone Number |  |
| Mobile Phone Number |  |
| Email address |  |
| Address |  |
| Time at current address |  |
| If time at current address is less than 3 years, please provide full 3-year address  history |  |

**Financial Dependents**

|  |  |  |  |
| --- | --- | --- | --- |
| Name | Date of Birth | Age | Relationship |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

Property Information

|  |  |
| --- | --- |
| Reason for mortgage (select 1) | 1. Remortgage current home – yes/no 2. Buy a New Home – yes/no 3. Other – yes/no   (If you have answered yes to question 3,  please provide further information, see end of document) |
| If you are keeping your home, please |  |
| confirm: |  |
| 1. The value of the property. | 1. |
| 2. The outstanding balance of any | 2. |
| mortgage outstanding on the | 3. |
| property if not mentioned above. |  |
| 3. Will this property continue to be |  |
| your main residence? |  |
| For the purchase of a new property please confirm the amount of deposit you will have. If no amount is given a 10% deposit  will be assumed | £ |
| Please confirm the area/post code of any new property being purchased if different from your current address |  |

**Employment**

|  |  |
| --- | --- |
| Salary  Please provide gross annual figure (before tax) and net monthly figure (after tax). | Annually Gross - £  Monthly Net - £ |
| Bonus  If bonus received quarterly or monthly, please provide a full 2-year history. | Date: Amount: £  Date: Amount: £  Date: Amount: £  Date: Amount: £  Frequency (annually, quarterly, monthly): Guaranteed (yes/no): |
| Commission  If commission received quarterly or monthly, please provide a full 2-year history. | Date: Amount: £  Date: Amount: £  Date: Amount: £  Date: Amount: £  Frequency (annually, quarterly, monthly): Guaranteed (yes/no): |
| Overtime/Shift pay  Please provide amounts for last 3 months | Month 1: £  Month 2: £  Month 3: £ |
| Allowance | Allowance Type:  Annually Gross - £ Monthly Net - £ |
| Time with current employer |  |

**Contractors**

|  |  |
| --- | --- |
| Are you Employed or Self Employed? |  |
| Please state the Contract Type (e.g.- Zero Hours, Temporary, Sub-Contractor Fixed Term, Subcontractor  Open-Ended, Fixed Term) |  |
| IT Contractor? | Yes/No |
| Umbrella Scheme? | Yes/No |
| Construction Industry Scheme | Yes/No |
| Please confirm the contract start and end date | Start date:  End Date: |
| If you are working on a Temporary or Fixed Term contract, please provide start and end dates for the last 2 years. |  |

**Self-employment**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Business Type** | **Income** | | | | | | |
|  | Your Share of Net Profit | | | Salary | Dividends | | |
|  | *Tax Year* |  | *Amount* |  |  | | |
| Partner |  |  |  |  | | |
|  | 20 | £ |  | N/A | | |
| Please provide a full 3-year history | 20 | £ |  |  | | |
|  | 20 | £ |  |  | | |
| Sole Trader | *Tax Year* |  | *Amount* |  |  | | |
| Please provide a full 3-year history | 20 | £ |  | N/A | N/A | | |
|  | 20 | £ |  |  |  | | |
|  | 20 | £ |  |  |  | | |
| Director/Shareholder |  | | | *Tax Year Amount* | *Tax Year* |  | *Amount* |
| Please provide a full 3-year history | N/A | | | 20 £ | 20 | £ |  |
|  |  | | | 20 £ | 20 | £ |  |
|  |  | | | 20 £ | 20 | £ |  |
| Percentage of Shareholding |  | | | | | | |
| Your position |  | | | | | | |
| When did the business start? |  | | | | | | |
| How many years’ accounts do you have? |  | | | | | | |

**Other Income**

|  |  |  |
| --- | --- | --- |
| Income Type | Amount | Frequency |
| Child Benefit | £ |  |
| Universal Credit | Standard Allowance: £ Housing: £  Children: £ Disability: £ Carer: £  Other (please specify): £ |  |
| Pension Income | £ |  |
| Other (please state) | £ |  |
| Maintenance from ex-spouse | £ |  |

|  |  |
| --- | --- |
| Maintenance – please confirm if this income satisfies any of the following: | Yes/No |
| Payable via court ordered |  |
| Payable via CMS |  |
| 12-month track record evidenced by Bank Statements available |  |
| Will be payable for the term of the mortgage |  |

**Monthly Deductions from Salary**

|  |  |
| --- | --- |
| Student loan | £ |
| Season ticket loan | £ |
| Other deductions after tax | £ |
| Childcare vouchers | £ |
| Other deducted before tax | £ |

Do not include National Insurance or Income Tax.

Committed Expenditure

|  |  |  |  |
| --- | --- | --- | --- |
| Liability Type | Balance Outstanding | Monthly Payments | Is this liability to be repaid within 6 months of a mortgage starting or at the end of divorce  proceedings? |
| Credit Card | £ | £ |  |
| Child Maintenance | £ | £ |  |
| Hire Purchase | £ | £ |  |
| Unsecured Loan | £ | £ |  |
| Mail Order /Store Card | £ | £ |  |
| Overdraft | £ | £ |  |
| Secured Loans | £ | £ |  |
| Buy Now Pay Later | £ | £ | Start Date: |
| Soft loans (owed to friends or family) | £ | £ |  |
| Other (please confirm) | £ | £ |  |

**Monthly Expenditure**

|  |  |
| --- | --- |
| Expenditure Type | Monthly Payment |
| Council Tax |  |
| Gas, Electricity, Water |  |
| Telephone, TV Licence, Internet, Sky/Cable |  |
| Food/Groceries/Supermarket |  |
| Housekeeping costs (cleaning, gardening, boiler maintenance etc.), Maintenance & Repairs |  |
| Clothes/Shoes |  |
| Entertainment/Recreation/Hobbies |  |
| Personal Grooming/Haircut/Beauty |  |
| Healthcare/Prescriptions/ Dentist/Opticians |  |
| Holidays |  |
| Birthdays/Christmas/Religious Ceremonies Food & Gifts |  |
| Travel Expenses (parking/public transport) |  |
| Petrol/Diesel |  |
| MOT/Servicing/Maintenance |  |
| Road Tax & Insurance |  |
| Household Insurance/ Buildings & Contents Insurance |  |
| Life Cover/Income Protection/Private  Medical Insurance |  |
| Pension Contributions |  |
| Children’s Expenses - Clothes/Entertainment |  |
| Childcare/Nursery Fees/School Fees |  |
| Extra-Curricular Activities/Clubs/School Costs/Travel |  |
| Pet costs |  |
| Other – (please state) |  |

**Other Mortgages**

Property 1:

|  |  |
| --- | --- |
| Is this property mortgaged? (if not please continue to ‘credit history’ section) | yes/no |
| Property Usage | It’s already/to be let – yes/no  Holiday/second home – yes/no Home for dependent relative - yes/no |
| Popery Value | £ |
| Mortgage Type | Repayment – yes/no Interest Only – yes/no |
| Monthly Payments | £ |
| Remaining Term |  |
| Current Interest Rate | % |
| Rental Income  Please provide a full 3-year history | Tax Year: 20 Net Profit: £  Tax Year: 20 Net Profit: £  Tax Year: 20 Net Profit: £ |

Property 2:

|  |  |
| --- | --- |
| Is this property mortgaged? (if not please continue to ‘credit history’ section) | yes/no |
| Property Usage | It’s already/to be let – yes/no Holiday/second home – yes/no Home for dependent relative - yes/no |
| Popery Value | £ |
| Mortgage Type | Repayment – yes/no Interest Only – yes/no |
| Monthly Payments | £ |
| Remaining Term |  |
| Current Interest Rate | % |
| Rental Income  Please provide a full 3-year history | Tax Year: 20 Net Profit: £  Tax Year: 20 Net Profit: £  Tax Year: 20 Net Profit: £ |

**Credit History**

If you can answer ‘yes’ to any of the following, you may wish to send a copy of your credit report.

|  |  |
| --- | --- |
| Current Account Provider |  |
| Have you ever had a CCJ | Amount: £  Date Registered: Date Satisfied: |
| Have you ever had a Default | Amount: £  Date Registered: Date Satisfied: |
| Have you ever had any missed payments or arrears on a Mortgage or Credit Card | Date of arrears:  Date arrears cleared: Number of missed payments: |
| Have you ever had a repossession | Date of repossession: Debt outstanding: |
| Have you ever been declared Bankrupt | Discharge date: |
| Have you ever had an IVA | Date started: Date satisfied: |

Professional Contact Information

|  |  |  |
| --- | --- | --- |
|  | Client One | Client Two |
| Solicitor Name |  |  |
| Firm Name |  |  |
| Address |  |  |
|  |  |  |

Additional Advice

In relation to your divorce/financial remedy we may be able to help you in other areas:

|  |  |
| --- | --- |
|  | Would you like us to contact you? |
| Independent mortgage and/or financial advice (upon final settlement) |  |

**Any Other Information**