

# Information Guide for Commercial Customers in Financial Difficulty

**EBS**

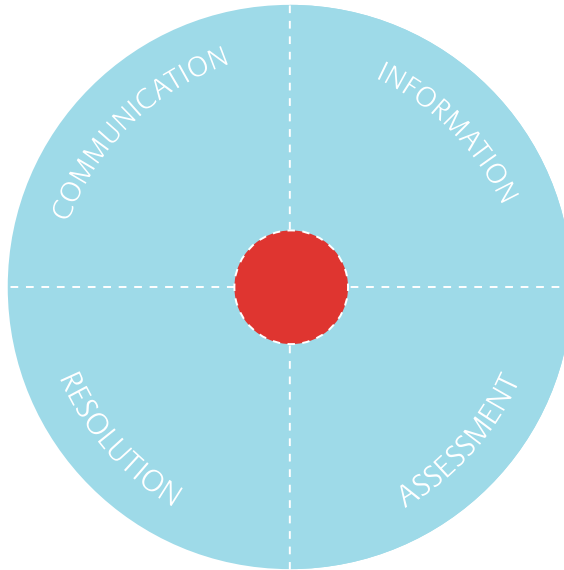
# Are you experiencing Financial Difficulty?

EBS recognises the challenges faced by individuals who have invested in properties. If you are worried about your loan repayments, or have fallen behind, EBS is here to work with you through your situation. By contacting us at the earliest point, it provides us with the best chance of helping you address your circumstances.

Lenders in Ireland are regulated by the Central Bank of Ireland and are required under the Consumer Protection Code 2012 ( the “CPC Code”) to put in place written procedures for the handling of arrears.

The purpose of this booklet is to set out clearly how personal customers, who are currently in financial difficulty, or feel they may have difficulty in the future in making their Commercial loan repayments, should deal with their financial situation. A full copy of the CPC Code referred to above can be downloaded from the Central Bank’s website [www.centralbank.ie](http://www.centralbank.ie)

# The CPC Arrears Resolution Process



## How it all works...

EBS has a clear process which is made up of four steps which are explained in more detail in this booklet. They include:

**Step 1: Communication**

- how will we stay in touch with you

**Step 2: Financial Information**

- getting a better understanding of your financial position

**Step 3: Assessment**

- examining each case on an individual basis

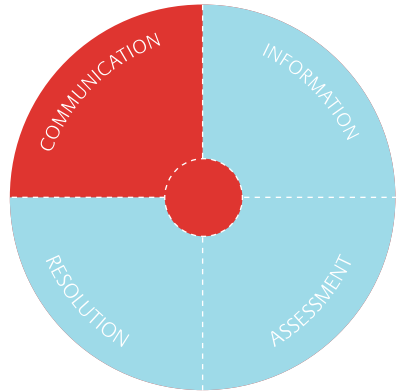
**Step 4: Resolution**

- finding a workable solution

## Step 1: Communication

### Come and talk to us...

If you are concerned about meeting the repayments on your investment loan, or if you are already in arrears the first step is to come talk to us. By contacting us at the earliest point it provides us with the best chance of helping you address your circumstances. It's important to realise it's never too late. Once you make contact with EBS your Relationship Manager will then arrange an appointment to meet with you if required and together we will carry out a full assessment of your overall financial position.



### How to contact us...

- Call your dedicated Relationship Manager in EBS Commercial on (01) 665 8026
- Email us on [ebcommercial@mail.ebs.ie](mailto:ebcommercial@mail.ebs.ie)
- Visit us on [www.ebs.ie/commercial](http://www.ebs.ie/commercial) where you'll find useful information

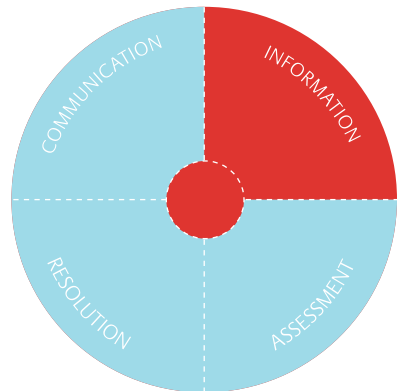


### When we will contact you

Under this process, if your arrears continue we will notify you of the status of your account after 31 days. Where arrears remain on your account beyond 31 days we will continue to notify you of the status of the account every three months.

EBS are here to work through this process with you, however, it is essential that you engage with us. We need your engagement and cooperation to ensure that the best solution can be reached for you. If there is a guarantor on your loan they too will be notified should arrears arise on your account.

## Step 2: Financial Information



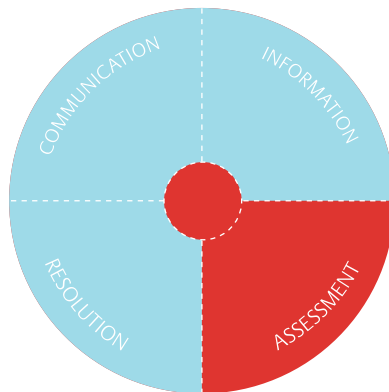
Once you make contact with us, your relationship manager will request that you supply EBS with relevant financial information. This will enable EBS to adequately assess your financial position and identify any solutions that might help with your situation. EBS may require some or all of the information listed below;

- ✓ A sworn Statement of affairs
- ✓ Independent verification of income and tax affairs
- ✓ Current Account statements
- ✓ Most recent audited and management accounts for your business and up to date cash flow statement if applicable
- ✓ Lease agreements

As everyone's financial situation is unique, the information required by EBS in this process will vary from borrower to borrower so our requirements may not be limited to this list.

### Step 3: Assessment

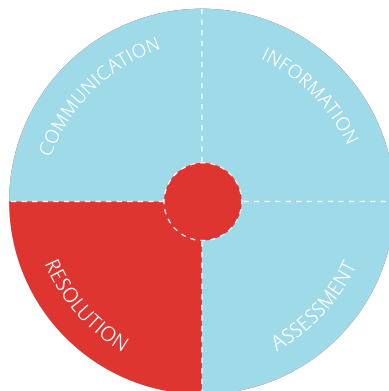
Once you have supplied EBS with the relevant financial information, your relationship manager will assess the information provided and explore a number of repayment options to find the most appropriate for your circumstances.



The process will take into account your overall level of borrowings, the current overall repayment capacity, previous payment history, as well as the existing security position with regard to your borrowings.

### Step 4: Resolution

EBS will explore a number of repayment options that will assist you in resolving or avoiding arrears. If an alternative repayment option is agreed we will write to you outlining the terms of your revised repayment arrangement.



It is important that you fully understand the implications of any new arrangement before you go ahead with it. We would advise you to take independent legal and/or financial advice regarding any proposed revised repayment arrangement.

**Whilst some options may reduce your mortgage repayments in the short term, the overall affect could increase the total cost of credit over the life of the loan.**

Once an alternative repayment arrangement is agreed, EBS will monitor each case on an ongoing basis, with a formal review at least every six months. We will require you to provide us with up to date financial information on an ongoing basis. If there are any changes in your financial circumstances it is important you inform EBS. This will help us to see if there has been any change in your circumstances since the arrangement was first put in place.

A review of your account will take place immediately if you do not abide to the terms of the arrangement. There may be cases however, where EBS will be unable to provide an alternative repayment arrangement. In such cases we will discuss with you alternative options such as asset disposal.

Should your financial circumstances improve, you may decide to accelerate your payments to repay your loan over a shorter term, or make lump sum payments (subject to a breakage fee in the case of a fixed rate).

## Important Information...

### Credit Rating

If you are unable to meet your loan repayments, your account will go into arrears. This may affect your credit rating, which may in turn limit your ability to access credit from EBS and other financial institutions in the future. Data relating to you, including any arrears, may be shared with credit registers including the Central Credit Register which is maintained and operated by the Central Bank of Ireland as required by law.

### Other Loan Facilities

If you are in default on one of your loan facilities with EBS, this may have an impact on your other facilities with EBS. Please refer to the terms and conditions of your loan facilities for full details.

### Costs

Failure to repay your loan may also lead to EBS taking enforcement action against you. This may involve issuing legal proceedings for judgment, for possession of secured properties, and/or the appointment of a receiver(s) to the secured properties. The cost of legal proceedings could amount to €4,500 or more per property depending on your response.

Where enforcement action or court proceedings are contested by you, a higher figure for costs may apply. The cost of a receiver varies dependant on the nature and quantity of the security held by EBS and the circumstances of each case.

Under the terms of your loan facilities, all charges and expenses incurred by EBS in connection with your loans or on the enforcement or preservation of EBS' rights shall be payable by you, and shall be debited to your account and form part of your total indebtedness.

## Contact Details:

EBS Commercial  
10 Molesworth Street  
Dublin 2  
D02 R126

Tel: 01 665 8026  
Fax: 01 665 8108  
Email: [ebscommercial@mail.ebs.ie](mailto:ebscommercial@mail.ebs.ie)  
Web: [www.ebs.ie](http://www.ebs.ie)

## Other Useful Contact Details:

### **Citizens Information Board**

Phone: 0818 074000  
[www.citizensinformation.ie](http://www.citizensinformation.ie)

### **Department of Social Protection**

Phone: 0818 662244  
[www.welfare.ie](http://www.welfare.ie)

### **Irish Banking Federation (IBF)**

[www.ibf.ie](http://www.ibf.ie)

### **The Central Bank of Ireland**

[www.centralbank.ie](http://www.centralbank.ie)

### **Office of the Revenue Commissioners**

[www.revenue.ie](http://www.revenue.ie)

## Need Independent Financial Advice?

It may help to get some independent financial advice in relation to household budgeting and money management from your local MABS office (Money Advice and Budgeting Service) or an appropriate alternative.

To contact MABS phone 0818 072000 or visit their website on [www.mabs.ie](http://www.mabs.ie)

**EBS d.a.c. is regulated by the Central Bank of Ireland**

The logo for EBS, consisting of the letters 'EBS' in a white, serif font, set against a solid red rectangular background.