



William Finnerty <williamfinnertygalway@gmail.com>

RE: Letter from Enforcement of Judgements Office dated November 25th 2022

Ciaran Smith <ciaran.smith@radiushousing.org>
 To: William Finnerty <williamfinnertygalway@gmail.com>
 Cc: Stacey Butler <stacey.butler@radiushousing.org>

Fri, Dec 16, 2022 at 3:15 PM

Good Afternoon Mr Finnerty

Thank you for your response and the proposal listed in section b) and c) of your below email. I can confirm that as it has been stated previous we will review this when we receive a date of the eviction action from the EJO office – this will likely be in January due to the holiday period.

When we receive this date and complete our review we will now include the proposal that you have made in the situation were your appeal process is unsuccessful. Once we have taken any further decision we will let you know. Can I ask that if there is any developments in your Pension Credit case that you also keep us informed.

Kind Regards

Ciaran

Ciaran Smith
 Area Housing Manager



Email: ciaran.smith@radiushousing.org 
 Web: www.radiushousing.org 
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From: William Finnerty <williamfinnertygalway@gmail.com>

Sent: 14 December 2022 13:01

To: Ciaran Smith <ciaran.smith@radiushousing.org>; Stacey Butler <stacey.butler@radiushousing.org>; Michael Gillespie <michael.gillespie@radiushousing.org>; Rachel O'Donnell <Rachel.O'Donnell@radiushousing.org>; Sharon Hyndman <sharon.hyndman@radiushousing.org>; Keelan McGaghran <Keelan.McGaghran@radiushousing.org>; Deborah Sparks <deborah.sparks@radiushousing.org>; Cathy Jackson <Cathy.Jackson@radiushousing.org>; John Cairnduff <john.cairnduff@radiushousing.org>; Radius Scheme Co-ordinator Ina Ferguson <I.Ferguson@radiushousing.org>; Loma Wilson <Loma.Wilson@radiushousing.org>; John McLean <john.mclean@radiushousing.org>

Cc: Enforcement of Judgements Officer Gerard Adair <Gerard.Adair@courtsni.gov.uk>; Enforcement of Judgements Master's Clerk <ejomastersclerk@courtsni.gov.uk>; Postroom Officer at Enforcement of Judgements Office <POSTROOMEJO@courtsni.gov.uk>; Andre Alexander at Enforcement of Judgements Office <Andre.Alexander@courtsni.gov.uk>; Joanne Gordon, Northern Ireland State Pension Credit Disputes Team <Joanne.Gordon@nissa.gsi.gov.uk>; For The Attention of Legally Qualified Member Mr M O'Brien at the Northern Ireland Appeals Service (Ref: Case Number BE/6784/19/45/O) <appeals.service.belfast@communities-ni.gov.uk>

Subject: Fwd: Letter from Enforcement of Judgements Office dated November 25th 2022

Dear Mr Smith,

Thank you for your email dated December 9th 2022, a "forwarded" copy of which is reproduced below.

In response to your December 9th 2022 email, I wish to reply as set out under the following points:

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1) Allowing for the fact that, despite my very best efforts over the past 24 years or so, I still have not managed to find any professional legal advice and representation of the kind that is willing to deal with the legal, medical, financial and social components of my particular case in a holistic way (as opposed to a highly fragmented one, as I see it), I trust that nobody reading this email of mine will construe anything I write here (or in any earlier correspondence of mine) as evidence of any wrongdoing on my part in connection with the creation and very lengthy build-up, and sustaining of the overall set of rent-arrears-debt-problems of mine, which I understand was, as far as the financial aspect of the problems are concerned, in the region of £16,840 at the time of our meeting on November 29th 2022.

2) .The EJO (Enforcement of Judgements Office) effort to secure the sum of £10,610.15 from my bank account appears to have been successful. Evidence of this can be found in the scanned copy of the letter dated November 25th 2022 which I feel grateful to have been provided with (without requesting it) by Ms Karen McManus at the Enniskillen branch of AIB (Allied Irish Bank) at the following www location:
<http://www.humanrightsireland.com/RadiusHousing/6December2022/RegisteredLetter.htm#GO>

3) Regarding the Radius Housing requirement that I make a proposal (as you have requested in the second paragraph from the end of your December 9th 2022 email to me) I wish to state the following:

a) I still have what I see as a considerable amount of the Euros 116, 000 (approximately) loaned to me by my late half-sister (Ms Marjorie Dolan) and my brother (Mr Gerald Finnerty), against my home in County Galway, in the Republic of Ireland.

b) Allowing for the financial reserves of mine referred to just above, in the event that my Pension Credit appeal to TAS (The Appeals Service) turns out to be unsuccessful, I am willing to clear all debts connected with my rent arrears, within a relatively short period of time -- say two weeks or so -- of I being informed in writing that my Pension Credits appeal was unsuccessful.

c) I am also in a financial position, and willing, thanks again to the loans against my home in County Galway referred to just above, to continue paying the weekly charge I set up on October 13th last for the payment of my rent, via Direct Debit, from my bank account into the Radius Housing account, for a considerable period of time into the future: i.e. for at least one year, I estimate.

If the proposal I am making under b) and c) in this section is acceptable to Radius Housing, I would be grateful if you, or one of your colleagues at Radius Housing perhaps, could please provide me with written confirmation that this is so. In the event that this proposal is unacceptable to Radius Housing, please know that I am willing to consider any alternative proposals which Radius Housing might wish to present to me, in writing: in the event that my Pension Credits appeal turns out to be unsuccessful.

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As I trust you and your colleagues at Radius Housing will understand, I am not at all happy about the pressing need I feel to have to write this email, without the benefit of professional legal advice and representation. However, in order to try and avoid eviction, I feel I have to try to proceed as best I can -- for the time being at least -- without the benefit of any professional legal advice and representation, of the holistic kind I have referred to in "Section 1" above.

Yours sincerely,

William Finnerty.

RELATED WWW LINK TO:

SCANNED COPY OF CLOSELY RELATED REGISTERED LETTER DATED NOVEMBER 28TH 2022 TO THE **LEGALLY QUALIFIED MEMBER** AT THE NORTHERN IRELAND APPEALS SERVICE **MR M O'BRIEN**:
<http://www.humanrightsireland.com/AppealsServiceNorthernIreland/28November2022/RegisteredLetter.htm>

RELATED "TO WHOM IT MAY CONCERN LETTERS" WRITTEN BY DR DAVID CHENEY GP, AND DR MICHAEL MCCAERT GP:
<http://www.humanrightsireland.com/RadiusHousing/6December2022/RegisteredLetter.htm#TWIMC>

=== === ===

----- Forwarded message -----

From: **Ciaran Smith** <ciaran.smith@radiushousing.org>
 Date: Fri, Dec 9, 2022 at 10:12 AM
 Subject: RE: Letter from Enforcement of Judgements Office dated November 25th 2022
 To: William Finnerty <williamfinnertygalway@gmail.com>
 Cc: Stacey Butler <stacey.butler@radiushousing.org>

Good Morning Mr Finnerty,

As you are aware Radius initiated action with The Enforcement of Judgements Office(EJO) following the award of the Court Order in relation to both money and land. When Radius made the application to the EJO we applied to recover both in respect of the money owed at the time of the Court award plus associated fees and also the recovery of the land due to the breach in tenancy due to non-payment of rental charges and arrears accruing. You would have received correspondence from the EJO in relation to both of these processes.

During our meeting on November 29 we did discuss at length the potential eviction and confirmed that we had not received a date for this to take place at that point. I explained to you and your neighbour that once we received a date from the EJO that Radius would review your account and circumstances. I advised that we would take into consideration the ongoing Pension Credit tribunal process but that we would need a resolution to this by the end of January and I also explained that it was unlikely that we would have an eviction date before then.

This remains our position and we are proceeding with EJO action in relation to the recovery of Flat 21 Elgin Court, as of today we have not received a date from the EJO for this to take place. Once we have a date as stated we will review this.

In relation to the EJO action in respect of recovering the monies owed it is confirmed from your letter below that EJO have made efforts to secure the sum of £10,610.15 in respect of the monies noted on the Court Order plus costs. If the EJO is successful this money will be paid to Radius. This will still leave a substantial arrear on your account and as I had requested at the meeting on November 29 we require you to make a proposal to us on how you are to maintain payment of your weekly charge and also clear you outstanding arrears if the outcome of your Pension Credit Tribunal is unsuccessful. To date we have not received a proposal from you.



I trust that this clarifies our position on the matters currently.

Kind Regards

Ciaran

Ciaran Smith

Area Housing Manager

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From: William Finnerty <williamfinnertygalway@gmail.com>

Sent: 06 December 2022 12:21

To: Ciaran Smith <ciaran.smith@radiushousing.org>; Stacey Butler <stacey.butler@radiushousing.org>; Michael Gillespie <michael.gillespie@radiushousing.org>; Rachel O'Donnell <Rachel.O'Donnell@radiushousing.org>; Sharon Hyndman <sharon.hyndman@radiushousing.org>; Keelan McGaghran <Keelan.McGaghran@radiushousing.org>; Deborah Sparks <deborah.sparks@radiushousing.org>; Cathy Jackson <Cathy.Jackson@radiushousing.org>; John Cairnduff <john.cairnduff@radiushousing.org>; Radius Scheme Co-ordinator Ina Ferguson <I.Ferguson@radiushousing.org>; Loma Wilson <Loma.Wilson@radiushousing.org>; John McLean <john.mclean@radiushousing.org>

Cc: Andre Alexander at Enforcement of Judgements Office <Andre.Alexander@courtsni.gov.uk>; Enforcement of Judgements Officer Gerard Adair <Gerard.Adair@courtsni.gov.uk>; Enforcement of Judgements Master's Clerk <ejomastersclerk@courtsni.gov.uk>; Postroom Officer at Enforcement of Judgements Office <POSTROOMEJO@courtsni.gov.uk>; Joanne Gordon, Northern Ireland State Pension Credit Disputes Team <Joanne.Gordon@nissa.gsi.gov.uk>; For The Attention of Legally Qualified Member Mr M O'Brien at the Northern Ireland Appeals Service (Ref: Case Number BE/6784/19/45/O) <appeals.service.belfast@communities-ni.gov.uk>

Subject: RE: Letter from Enforcement of Judgements Office dated November 25th 2022

Dear Ciaran,

By the end of the meeting we had on November 29th 2022, which was also attended by Radius Housing Officer Stacey Butler, and my neighbour Jackie Sullivan (who I invited to the meeting), it was my understanding, and that of Jackie Sullivan's, that everything, as it was at that time, to do with my rent arrears would be held in abeyance until such time as my Pension Credit Appeal Hearing had been heard and finally decided upon by TAS (The Appeals Tribunal), which we all anticipated, and hoped, would have happened by January 15th 2023.

It was in my understanding that in the event that my appeal had been heard and finalised by January 15th 2023, and that TAS had found in my favour, that all of my rent arrears debt, which I understand is at present in the region of £16,840:50, would be paid off in full directly to Radius Housing by Belfast Housing Executive.

It was my understanding that in event that TAS had not heard and finally decided on my Pension Credits appeal by January 15th 2023, that another meeting would be held by the four of us sometime between January 16th and January 31st 2023, and that there would be no risk for me of I being evicted before the end of January 2023.

Completely unexpectedly, allowing for our November 29th 2022 agreement which I have outlined above, I received a letter yesterday (i.e. December 5th 2022) from Ms Andrea Alexander at the Enforcement of Judgements Office dated November 25th 2022, which was four days before our November 29th 2022 meeting, and which requires me to pay £10,610.15 to the Northern Ireland Courts and Tribunals Service (before a date, it seems to me, which had already passed by the time I received yesterday's letter from Andrea Alexander). A scanned copy of the November 25th 2022 letter in question from Andre Alexander has been placed at the following www location:

<http://www.humanrightsireland.com/EnforcementOfJudgementsOffice/25November2022/Letter.htm>

As I trust you will understand, I feel surprised by the way that what we had agreed by the end of our meeting on November 29th 2022 may now have been altered in a major way?

I would be very grateful if you, or one of your colleagues at Radius Housing perhaps, could clarify the present status for me, as soon as possible please, regarding the agreement we reached on November 29th 2022 which I have referred to above.

Yours sincerely,

William Finnerty.

ATTACHMENT:

WWW LINK TO SCANNED COPY OF CLOSELY RELATED REGISTERED LETTER DATED NOVEMBER 28TH 2022 TO THE LEGALLY QUALIFIED MEMBER AT THE NORTHERN IRELAND APPEALS SERVICE MR M O'BRIEN:

<http://www.humanrightsireland.com/AppealsServiceNorthernIreland/28November2022/RegisteredLetter.htm>

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