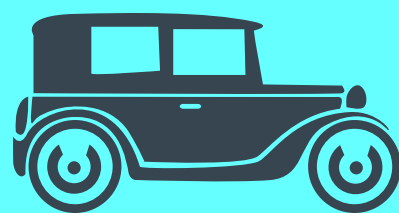


# CAR



# REPOSSESSION



If you miss a repayment on your car loan, you are in default. If you don't fix the default quickly, your lender may take steps to repossess your car. Please note this information does not apply to home repossessions.

## REPOSSESSION TIMELINE

### DEFAULT OCCURS. LENDER ISSUES A DEFAULT NOTICE.

This is the best time to fix the default by:

- Paying the arrears or the total amount owing (including enforcement expenses); or
- Getting a hardship variation if you cannot fix the default.

### IF THE DEFAULT IS NOT FIXED

### WITHIN 30 DAYS, REPOSSESSION CAN BEGIN.

- If you do not agree to the repossession, the cost of getting the court order will be added to your debt.
- It is a criminal offence to refuse to help a lender locate goods that you no longer have

### WITHIN 14 DAYS OF REPOSSESSION, LENDER MUST GIVE YOU WRITTEN NOTICE OF:

- the estimated value of the goods;
- the enforcement expenses incurred; and
- a statement of your rights and obligations.

You can get your car back if you pay what you owe (including enforcement expenses) before the 21 days are up.

### FROM 21 DAYS AFTER THE NOTICE, LENDER CAN SELL YOUR CAR:

- for the estimated value to a willing purchaser nominated by you; or
- for the "best price reasonably obtainable".



## NOW WHAT?

Your lender must give you written notice of:

- the gross and net sale prices;
- the amount required to pay out the contract; and
- any further action the lender might take to recover the shortfall debt.

## KEY POINT

You are still liable for any shortfall between the sale price and the total debt - including enforcement expenses.

## NEED MORE INFORMATION?

For advice specific to your personal circumstances contact the CCLSWA advice line on (08) 9221 7066 or visit [cclswa.org.au](http://cclswa.org.au)