



the detea

the department of economic
development, tourism and
environmental affairs
FREE STATE PROVINCE

Inquiries: Mr. Timothy Radikeledi – 082 773 9949

CONSUMER PROTECTION OFFICE

TIPS ON WHAT TO DO WHEN CONSUMERS RECEIVE LETTERS OF DEMAND / *SUMMONSES* FROM ATTORNEYS

1. Consumers are advised first and foremost, not to panic and be frightened by attorneys' letters of demand.
 2. The attorney's name that appears in such a letter should be contacted as soon as possible, either by phone or in person if it is possible.
 3. Attorneys do handle cases for which they have been mandated by their clients (e.g.: shops) to do collections; and if they (attorneys) are not contacted anyhow, then they have the prerogative to take further legal action.
 4. If consumers have got no debts, in spite of having received letters of demand; and if an attorney is not willing to accept the fact that you do not owe money, then you should either contact your own attorney or the Consumer Protection Office for further assistance.
 5. If a reasonable offer has been made to the attorney, under normal circumstance; the attorney would advise the shop concerned and send you a letter outlining the acceptance of your offer.
 6. Consumer are therefore advised not to make offers that would be impossible to fulfil and achieve as this would make the attorney to take further legal action; which means taking you to court, and legal fees are naturally going to be borne by you. These may eventually add up to more that the amount you had originally owed to the shop.
 7. If consumers ignore letters of demand and eventually *summonses*, then what is known as a default judgement may be taken against you – which means a court ruling taken in your absence.
 8. After a default judgement has been taken, it is difficult to have it reversed or changed as it is very expensive.
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