

Mortgage Hardship

This fact sheet has information about the Mortgage Hardship Service provided by Legal Aid WA.

What is the Mortgage Hardship Service?

The Mortgage Hardship Service is a specialist legal advice and assistance service located in the Civil Law Division at Legal Aid WA.

We help people by providing legal advice about what to do if you:

- » are experiencing mortgage stress,
- » are behind with your mortgage payments,
- » have been served with a default notice,
- » have been served with a Supreme Court writ for property possession,
- » have been told the sheriff is repossessing your home,
- » provided a guarantee for someone else's loan and your own home is now at risk of repossession.

The Mortgage Hardship Service is a specialist legal advice and assistance service located in the Civil Law Division at Legal Aid WA.

We are expanding our service to provide outreach legal advice clinics in selected metropolitan locations

Where is the Mortgage Hardship Service located?

The Mortgage Hardship Service operates from the Perth office of Legal Aid WA.

Advice can be provided:

- » over the phone,
- » face to face, or
- » by video link to one of our regional offices located in Kununurra, Broome, South Hedland, Geraldton, Kalgoorlie, Bunbury and Albany.

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Who provides the Mortgage Hardship Service?

Lawyers with specialist experience in credit and debt matters provide this service.

This fact sheet contains information only. It is not legal advice. If you have a legal problem, you should speak to a lawyer. Legal Aid WA aims to provide accurate information but does not accept responsibility if it is not.

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INFOLINE 1300 650 579 WEBSITE www.legalaid.wa.gov.au

How can the Mortgage Hardship Service Help?

A lawyer from the Mortgage Hardship Service can provide legal advice about your rights, obligations and legal options when having difficulty making repayments on your mortgage.

In some situations, the lawyer may provide limited assistance to prepare some documents in a Supreme Court matter or negotiate on your behalf with the lender.


However, the lawyer will not be able to represent you in court and will not be able to prepare complex court documents.

Where your matter is already in the Supreme Court or your lawyer considers you may have a defence, assistance may be provided to refer you to another service that could help.


A lawyer from the Mortgage Hardship Service may also assist you with taking a dispute to the Australian Financial Complaints Authority (AFCA).

Is there a cost?

There is no cost involved with seeing a lawyer in the Mortgage Hardship Service.



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How can I access the Mortgage Hardship Service?

You can access the Mortgage Hardship Service by calling Legal Aid WA's Infoline on 1300 650 579.

You can find out more about the service on the Legal Aid WA website: www.legalaid.wa.gov.au.

The Legal Aid WA website also has a self-help guide on Mortgage Stress that includes useful tools such as checklists, sample letters and videos.