



practical  
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## Parking Tickets and Penalty Charge Notices (PCN's)

The law regarding PCN's, car rental companies and their customers is complicated. To be brief, the position the car rental company, no matter who they are (Hertz, Avis, CitiRental etc) as curious as its sounds, **are responsible, in the first instance, for all the PCN's issued to their customers.** The PCN's for all manner of contraventions range

from speeding to not paying the Congestion Charge. Clearly the car rental companies cannot be liable for the thousands of tickets issued to their customers every year. If they were, they'd go broke in five minutes.

So how do the companies deal with this thorny problem? There are two possible alternatives.

[1] When a PCN is issued - 99% of all rental companies pay the fine and charge their customer for the value of the fine **plus an administration fee.**

[2] The alternative method (adopted by CitiRental) is to enter into a time consuming and complicated legal procedure called **transfer of liability.** This involves completing legal representations and transferring liability for the PCN to the hirer actually responsible for it. The fine/penalty is **not automatically paid by CitiRental** in the customer's absence as in item

[3]. However, this procedure is not fool proof. Sometimes representations are rejected by the issuing authority for technical reasons which involve further representations to the County Court, even the Traffic Tribunal (Ombudsman) for which the same administration fee is charged as the other companies who simply pay the ticket and be done with it.

So why do CitiRental undertake this thankless task for their customers? If the car rental company pays the PCN and then charges the customer the issuing authority **immediately closes the file.** There is no appeal. If for example the PCN was incorrectly issued there is nothing the customer can do about it. The file is closed and there is no appeal and that is the end of the matter.

Adopting the CitiRental, complicated transfer of liability means the customer will receive his own PCN and can consider whether or not to appeal if appropriate. That's why CitiRental spend so much time and effort to help their customers even though they know that such endeavour of often unrecognised. Want to know more?

Follow these links:

<http://www.fleetnews.co.uk/fleet-management/best-practice/how-to-navigate-the-penalty-charge-notice-nightmare>

<https://www.trafficpenaltytribunal.gov.uk/owner-liability/>