

# THE CREDIT TIMES



December 2012 / E-Newsletter #2

A Publication of The Commercial Collection Corp. of NY Inc.

Season's  
Greetings



Robert Ingold

*As it has been my privilege in past years, I like to write a year-end letter to the people we work with, for and employ. It is my way of summing up the current year and looking toward the new year.*

*2012 was a big year. We celebrated our 50th Anniversary with a series of dinners and luncheons in cities throughout the U.S.; we had a celebratory breakfast at the NACM in Dallas where we had record attendance. We finished the year with a big 50th party here in Buffalo, inviting past and current employees, vendors, and many long-term clients who have been with us most of the way.*

*We've grown from two people working out of their basement 50 years ago to over 70 employees in 6 cities, 2 countries, with collection dollars under our guardianship of over 100 million dollars.*

*It's been a good run but as the saying goes, "You haven't seen anything yet." Our industry is changing rapidly and so are the needs of our clients. Technology has changed the world of the credit community. Downsizing and economic strains have forced our clients to do more with less. The need to provide quality services and products by our company continually evolves.*

*The one ingredient that never changes is our commitment to you, the client. We still believe in old-fashioned customer service and strong partnerships. The goal for us all is to grow and prosper. Here's to another 50 years, together and strong.*

*On behalf of myself and the entire CCC family, we wish you the safest and happiest holiday season!*

**Robert Ingold**  
President

Please e-mail Judy Mattioli at [jmattioli@commercialcollection.com](mailto:jmattioli@commercialcollection.com) for your FREE 2013 calendar strips. We will need your name, company name, and the number of strips you would like.

## What is a preliminary notice and what you should know about it: Protect yourself on those marginal sales.

Our lien assurance program began as many of our other divisions in outsourcing; a client asked us to send a notice for them, and so we began. A prelim notice here, a bond claim there. It has steadily grown over the years, adding staff, expertise, a network of attorneys across the United States and Canada, a separate software program and soon a custom designed software program. It started out as a service used by a select group of clients: those in the know, those cautious enough to look for the extra protection, or those required by company mandates. As lien rights became more commonly known, more clients began inquiring about this service; as the economy took a sharp downturn, not protecting your interests in every way possible suddenly seemed like a risky business practice.



Valerie Ingold

At CCC we handle liens from cradle to grave, often receiving job sheets or job information as the equipment is ordered or right after. We follow the statutes from state to state and make sure all notices are sent out accordingly. If the job goes south, we hand pick a local attorney who is bonded through the CLLA and follow the job through filing a lien, filing suit if necessary, and the foreclosure process if needed.

The question is always though, who is this applicable to? How do you know if you need to worry about preliminary notice guidelines?

For mechanic's liens, if you provide materials, equipment, services or just about anything else to a construction project, you may be able to file a mechanic's lien against the property. The list of qualified suppliers include: contractors, subcontractors, material suppliers, equipment renters, workers, architects and others who have contributed services or materials to a construction project. The ability to file a lien, however, is defined by the individual state where the project is located. Generally there are three conditions that have to be met to determine if rights exist. First, determine where you are in the food chain. Second, if you are supplying a tangible product it must become a permanent part of the property to be a capital improvement. Third, if you are providing a tangible good, either you or your customer must be installing the good/s. These are general guidelines, and exceptions, of course, do apply.

To enforce a mechanic's lien, you must be able to prove that you supplied services or materials that were incorporated into the job, or that were employed by the owner, construction manager, architect, engineers, contractor or sub of any tier. The mechanic's lien on private projects attaches to the property itself and doesn't allow the owner to sell, refinance or transfer the property without satisfying the lien. On public projects, the lien typically attaches to the project's bond which insures payment of subs and suppliers. Lien laws can be tricky depending on which state you're working in, and some states have many hoops to jump through to make sure your rights are intact.

This is the basic information on filing liens, but as mentioned, the laws vary from state to state and change dramatically from one to the other. If you think you should have rights, or are not sure of the steps you should be taking to ensure your rights on a job, or to your collateral, please contact us. We would be happy to answer any questions or help out in any way!

For additional information, please E-mail Valerie Ingold at [vingold@commercialcollection.com](mailto:vingold@commercialcollection.com).

Article written by:  
Valerie Ingold  
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## Light the Night Walk 2012



(Light the Night walkers)

Each year, in communities all across the United States and Canada, teams of families, friends, co-workers and local and national corporations come together to raise funds for The Leukemia & Lymphoma Society's (LLS's) Light The Night Walk events and bring help and hope to people battling blood cancers.



(Bob Ingold & Employees)

CCC felt honored to be able to participate in the "Light the Night Walk" held on September 28. We also gathered pledges amounting to over \$1,000 for this tremendous cause. It was very gratifying to know that we played a part, no matter how small, in contributing to the search for a cure of this devastating disease.



(Carmen Rivas-Cieri)

Nancy Weller - Bakersfield, CA

# The Voice

Q: Why do I need to send a witness for a trial?

A: If a trial is required, the court insists that a representative from the plaintiff be available for testimony. The court generally requires an employee, preferably the keeper of the books and records, to introduce documentation into evidence and vouch for the accuracy of the records. In some cases, the sales representative may also be required. In most cases, there will be no trial without a witness, and if the opposition arrives with their witness, they will win the case without necessity of the trial.

Submit your credit questions and/or opinions to Judy Mattioli at [jmattioli@commercialcollection.com](mailto:jmattioli@commercialcollection.com).



## Celebrating 50 Years in Business

From all of us at CCC we sincerely

**THANK**

everyone that helped us  
reach this milestone.



## Join our Client Birthday Club!

Send an E-mail to Alicia Bell at [abell@commercialcollection.com](mailto:abell@commercialcollection.com)  
to become a member and watch for your gift from CCC on your birthday!

### Our Management Team:

Robert Ingold - President / Joseph Grieco - Exec. Vice President  
Judith Mattioli - Sr. Vice President

Patricia Stelter - VP/Controller / John Chotkowski - VP of Collections  
Susan Landel - VP of Collections / Darlene Evans - VP of Operations  
Bryan Rafferty - VP of Sales / Frank Vecchio - Legal Manager  
Valerie Ingold - Outsource Manager



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