**CORPORATE GOVERNANCE AND FINANCE DEPARTMENT**

**IMPORTANT:** Only registered Lending Companies and Financing Companies with Certificates of Authority to Operate as a Lending/Financing Company (CA) and recorded Online Lending Platforms may become respondent/s to your complaint. **For complaints against individuals/companies engaging in lending activities without CA, please send your email to Enforcement and Investor Protection Department at epd@sec.gov.ph.**

Complaints that are insufficient in form and in substance may cause the **outright dismissal** of your complaint. To avoid that:

Always fill out the Complaint Form **completely and accurately**.

Do not forget to **attach all relevant documents/evidence/proof** to support your complaint.

Submit **ONE COMPLAINT FORM PER RESPONDENT COMPANY**.

Provide us with a **valid government issued I.D.**

Do not forget to provide **evidence/proof that you have exhausted all remedies against the company concerned** before filing your complaint with the SEC

**PRIVACY NOTICE:** We collect the following personal information/documents from you when you manually or electronically submit to us your complaint/s:

Full Name

Age

Sex

Address (address in the Philippines where you may be furnished a copy of letter/s and order from the Commission

E-mail address

Contact number

Government-issued I.D.

**Use:** The collected personal information will be utilized for documentation and processing of your complaint/s within the SEC and, when appropriate, endorsement to other government agency/ies that has/have jurisdiction over the subject of your complaint.

The SEC may also process the personal information collected in order to carry out its constitutionally and statutorily mandated functions, including, but not limited to, conduct of research, in coordination with the central monetary authority and/or other law enforcement and regulatory agencies, for policy recommendations. (Section 4(e), R.A. 10173, or the Data Privacy Act of 2012)

**Protection Measures:** Only authorized SEC personnel has access to these personal information, the exchange of which will be facilitated through email and hard copy. SEC will only retain personal data **as long as necessary** for the fulfillment of the purpose.

**COMPLAINT FORM**

|  |  |
| --- | --- |
| **COMPLAINANT INFORMATION** | |
| Name: |  |
| Relationship/Affiliation to the Respondent Company: | ( ) Borrower/Client ( ) Reference  ( ) Guarantor ( ) Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Age: |  |
| Sex: | ( ) Male ( ) Prefer not to disclose  ( ) Female |
| Address: |  |
| E-mail address: |  |
| Contact number: |  |
| Loan Contract Reference No. /Tracking No. |  |

|  |  |
| --- | --- |
| **RESPONDENT** | |
| Company Name: |  |
| Online lending platform (if applicable): |  |
| Contact number: |  |
| E-mail address: |  |

|  |
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| **ALLEGATIONS** |

|  |  |
| --- | --- |
| ( ) | Violation of the Truth in Lending Act (R.A. 3765), in relation to SEC Memorandum Circular No. 7, Series of 2011 (*i.e. did not disclose loan information, interest rates, fees, penalties, etc.*) |
| ( ) | Violation of Memorandum Circular No. 18, Series of 2019: Prohibition on Unfair Debt Collection Practices of Financing Companies (FC) and Lending Companies (LC) (*i.e. company is harassing me, my peers and family, sending threats, posting me on social media, etc.*) |
| ( ) | Violation of Memorandum Circular No. 3, Series of 2022: Implementation of Bangko Sentral ng Pilipinas Circular No. 1133 Series of 2021 on the Ceiling/s on Interest Rates and Other Fees Charged by Lending Companies, Financing Companies, and their Online Lending Platforms |
| ( ) | Violation of the Lending Company Regulation Act of 2007 (R.A. 9474) and its Implementing Rules and Regulations (*i.e., operating without Certificate of Authority*) |
| ( ) | Violation of the Financing Company Act of 1998 (R.A. 8556) and its Implementing Rules and Regulations (*i.e., operating without Certificate of Authority*) |

1. Narration of Facts (*provide a complaint narrative, including relevant dates, detailing your* ***own personal experience*** *of the company’s violations; use additional sheet if necessary*)

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2. Proof/Evidence attached to support your complaint (*brief description of the proof/evidence of your complaint. If the proof/evidence is a message, please indicate to whom it was sent. Example: text message from company sent to my friend harassing him/her, screenshot of deposited amount that is higher/lower than what was agreed upon*):

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3. Proof/evidence attached showing that you have exhausted your remedies against the company concerned before filing a complaint with the SEC, e.g., initial complaint to the company and the company’s response to you, if any: (*complaints involving* ***purely collection harassment need not*** *comply with this*)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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4. For complaints involving **collection** **harassment**, did you borrow from any other FCs/LCs/OLP/s aside from the respondent of this complaint?

( ) No, I only borrowed from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

( ) Yes, I also borrowed from the following FCs/LCs/OLP/s listed below (*use another sheet if necessary*):

|  |  |  |
| --- | --- | --- |
| Name of the other FCs/LCs/OLP/s | Do you have missed payments with this FC/LC/OLP? (Yes/No) | Due date of the missed payment/s, if any |
|  |  |  |
| Name of the other FCs/LCs/OLP/s | Do you have missed payments with this FC/LC/OLP? (Yes/No) | Due date of the missed payment/s, if any |
|  |  |  |
|  |  |  |
|  |  |  |

I declare the foregoing is true and correct under penalty of perjury under the laws of the Philippines.

Executed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Date City

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Complainant’s signature over printed name

Valid Government issued I.D.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Valid Government issued I.D. No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(*Attach a copy*)

(Note: *Company/Office/School I.D.s are not valid government I.D.s. Please also note that expired government I.D.s are likewise not valid I.D.s.)*