

NOTICE OF CLAIM
IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER _____
REGISTRY LOCATION _____

FROM:
Fill in the name, address and telephone number of the person(s) or business(es) making the claim

NAME Catherine Cook CLAIMANT(S)
ADDRESS 1888 Skylark Avenue
CITY, TOWN, MUNICIPALITY Victoria B.C. V9T 1B2 TEL. # 652-1130
PROV. POSTAL CODE

TO:
Fill in the name, address and telephone number of the person(s) or business(es) the claim is against

NAME Bryan Wilson DEFENDANT(S)
ADDRESS 9271 Woodside Creek Road
CITY, TOWN, MUNICIPALITY Victoria B.C. V6L 3W2 TEL. # 478-2161
PROV. POSTAL CODE

WHAT HAPPENED?
Tell what led to the claim.

1. On 16 June 2001 the Defendant told me that the ceiling of the Defendant's home contained 8 inches of insulation. The home is located at: 1888 Skylark Avenue Victoria, B.C.
2. On 18 June 2001 I agreed to purchase the Defendant's home.
3. After occupying the Defendant's home on 18 July 2001 I discovered that the ceiling only contained 4 inches of insulation.
4. I requested the Defendant pay for the installation of 4 inches of insulation but the Defendant has refused to do so.

If you need more space to describe what happened, attach another page, mark it "Page 2 of the Notice of Claim" and check this box. A copy of the attached page must accompany each copy of the Notice of Claim.

WHERE?
Tell where this happened.

CITY, TOWN, MUNICIPALITY Victoria B.C. **WHEN?** June 2001
Tell when this happened

HOW MUCH?
Tell what is being claimed from the defendant(s) If the claim is made up of several parts, separate them here and show the amount for each part Add these amounts and fill in the total claimed.

a	Four inches of insulation installed in the ceiling at 1888 Skylark Avenue, Victoria, B.C.	\$ 845.00
b		\$ _____
c		\$ _____
d		\$ _____
e		\$ _____

TIME LIMIT FOR DEFENDANT TO REPLY

The defendant must complete and file the attached reply within 14 days from being served with this notice, unless the defendant settles this claim directly with the claimant. If the defendant does not reply, a court order may be made against the defendant without any further notice to the defendant. Then the defendant will have to pay the amount claimed plus interest and further expenses.

TOTAL \$ 845.00
FILING FEES _____
SERVICE FEES _____

The Court Address for filing documents is:

= TOTAL CLAIMED \$ _____
DEBT
OTHER THAN DEBT

REPLY

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

To a Claim

To a Counterclaim

REGISTRY FILE NUMBER <u>386/01</u> - Victoria REGISTRY LOCATION
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TO:

Copy the name, address and telephone number of the claimant from the Notice of Claim

NAME Catherine Cook CLAIMANT(S)
 ADDRESS 1888 Skylark Avenue
 CITY, TOWN, MUNICIPALITY Victoria B.C. V9T 1B2 TEL. # 652-1130
PROV. POSTAL CODE

FROM:

Fill in the name, address and telephone number of the defendant filing this reply

NAME Bryan Wilson DEFENDANT
 ADDRESS 9271 Woodside Creek Road
 CITY, TOWN, MUNICIPALITY Victoria B.C. V6L 3W2 TEL. # 478-2161
PROV. POSTAL CODE

DISPUTE

Using the "HOW MUCH" section of the Notice of Claim as a guide, tell why you disagree with each part (a - e) If you agree with parts of the claim say so.

a I never told the Claimant or in any way represented that the home at 1888 Skylark Avenue, Victoria, B.C. had 8 inches of insulation in the ceiling.
 b 8 inches of insulation in the ceiling.
 c The Claimant inspected the ceiling on 16 June 2001 and should have known it contained 4 inches of insulation.
 d _____
 e _____

AGREEMENT

If you agree to pay all or part of what is claimed, make a proposal.

WITH THE CLAIM: I _____ agree to pay \$ _____
 I could make the following payments:
 (give dates and amounts) _____

COUNTER-CLAIM

(YOU SHOULD ONLY FILL OUT THIS PART OF THE FORM IF YOU WISH TO MAKE A CLAIM AGAINST THE CLAIMANT) (THIS PART IS NOT TO BE USED WHEN REPLYING TO A COUNTERCLAIM)

HOW MUCH?

Tell what you are claiming. If your counterclaim has more than one part, separate each part and fill in each individual amount, then add the individual amounts to make the total.

a _____ \$ _____
 b _____ \$ _____
 c _____ \$ _____

TOTAL _____

FILING FEES _____

= TOTAL CLAIMED \$ _____

THIRD PARTY NOTICE

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER 386/01
REGISTRY LOCATION Victoria

TO:

Fill in the name, address and telephone number of the person or business the defendant thinks should pay all or part of the claim against the defendant.

NAME	Chill Free Insulation Ltd.		THIRD PARTY
ADDRESS	835 Commerce Road		
CITY, TOWN, MUNICIPALITY	Victoria	PROV. B.C.	POSTAL CODE V4R 6L2 TEL # 478-0022

FROM:

Fill in the name, address and telephone number of the defendant who is adding the third party.

NAME	Bryan Wilson		DEFENDANT
ADDRESS	9271 Woodside Creek Road		
CITY, TOWN, MUNICIPALITY	Victoria	PROV. B.C.	POSTAL CODE V6L 3W2 TEL # 478-2161

Copy the name, address and telephone number of the claimant from the notice of claim.

NAME	Catherine Cook		CLAIMANT
ADDRESS	1888 Skylark Avenue		
CITY, TOWN, MUNICIPALITY	Victoria	PROV. B.C.	POSTAL CODE V9T 1B2 TEL # 652-1130

WHAT HAPPENED?

Tell what happened to make you think the third party should pay all or part of the claim.

On 10 August 2000 I entered into a contract with the Third Party to provide ceiling insulation at 1888 Skylark Avenue, Victoria, B.C. The Third Party agreed to install 8 inches of insulation. On 18 July 2001 I learned that in fact only 4 inches of insulation had been installed in the ceiling.

If you need more space to describe what happened, attach another page, mark it "Page 2 of the Third Party Notice" and check this box. A copy of the attached page must accompany each copy of the Third Party Notice.

HOW MUCH?

Tell what you are claiming from the third party. If the claim is made up of several parts, separate them here and show the amount for each part. Add these amounts and fill in the total claimed.

a	\$ 845 for breach of contract being the cost of installing 4 inches of insulation	\$ 845 00
b	in the ceiling at 1888 Skylark Avenue, Victoria, B.C.	\$
c		\$
d		\$
TIME LIMIT FOR THE THIRD PARTY		TOTAL \$ 845 00
If the third party does not settle directly with the claimant and the defendant or file a reply within 14 days from being served with this notice, a court order may be made against the third party. Then the third party will have to pay the amount claimed plus interest and further expenses		+FILING FEES \$
		+SERVICE FEES \$
		=TOTAL CLAIMED \$

DEBT
 OTHER THAN DEBT

The Court Address for filing documents is: