ADDING A THIRD PARTY TO A CLAIM

Step 1

COMPLETE the THIRD PARTY NOTICE. To complete the form, use a typewriter or print clearly. There are 5 copies, so be sure all copies are legible. For more help there are booklets called "Making a Claim" and "Replying to a Claim".

Step 2

FILE the THIRD PARTY NOTICE by taking or mailing it to the Court Registry. The fee for filing a THIRD PARTY NOTICE is \$25. If you are making a claim against a company or a society, you must attach a printout of a company search showing the most recent address of the registered office of the company on file with the Registrar of Companies. The staff will check your form and, when it is accepted for filing, apply the registry stamp. Then they will return the copies you need for your records and for serving on the third party.

Step 3

SERVE the third party with

- a copy of the third party notice
- a blank reply to a third party notice form
- a copy of the notice of claim
- a copy of the reply to the notice of claim
- a copy of the notice of settlement conference or trial, if one has been issued.

The purpose is to be sure the third party knows about the lawsuit.

Within 30 days of serving the third party, file a certificate of service, to prove the third party has been served with the notice. For more help with service there is a booklet called "Serving Documents".



AND THEN, if the third party files a reply, the court registry will send everyone a copy of the reply, and set a date for a settlement conference. If no reply is filed at the court registry within the time limit on the THIRD PARTY NOTICE, you may apply to a judge for an order against the third party.

REGISTRY FILE NUMBER

What is the registry file number and location shown on the Notice of Claim?

TO:

Are you sure you have used the proper name? If you wish to add a company or a society as a third party, you can get the legal name from the printout of the company search.

WHAT HAPPENED?

You do not need to tell everything about your case here. You must tell just enough to let the third party know why you believe they should pay part or all of the claim against you. Keep your description brief. You will have a full opportunity to present all the facts and provide supporting documents at a settlement conference or trial.

HOW MUCH?

а

b

If your claim is made up of several parts, separate them here and show the amount you are claiming for each part. For example:

- Amount owing on upaid invoice
- \$\$\$\$\$\$\$\$ Interest under the contract

\$\$\$\$\$\$\$\$

The third party might agree with part of your claim if you show its separate parts.

IMPORTANT NOTICE

The THIRD PARTY NOTICE will expire if the Certificate of Service is not filed within 30 days of the notice being filed at the registry.

REGISTRY LOCATION

THIRD PARTY NOTICE

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

THIRD PARTY NOTICE

COLUMBIA				
TO:	NAME			THIRD PARTY
Fill in the name,	ADDRESS			
address and telephone number of the person or business the defendant thinks should pay all or	CITY, TOWN, MUNICIPALITY	PROV.	T POSTAL CODE	EL. #
part of the claim against the defendant.				
FROM:	NAME			DEFENDANT
Fill in the name,	ADDRESS			DEI ENDANT
address and telephone number of the				
defendant who is adding the third party.	CITY, TOWN, MUNICIPALITY			EL. #
		PROV.	POSTAL CODE	
Copy the name,	NAME			CLAIMANT
address and telephone number of the claimant from the notice of claim.	ADDRESS			
	CITY, TOWN, MUNICIPALITY		Т	EL. #
	MONORALITI	PROV.	POSTAL CODE	
WHAT				
HAPPENED?				
Tell what happened to make you think the third				
party should pay all or part of the claim.				

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	b		· · · · · · · · · · · · · · · · · · ·	
Add these amounts and fill in the total claimed.	C		\$	
			· · · · · · · · · · · · · · · · · · ·	
		TOTAL	\$	
	TIME LIMIT FOR THE THIRD PARTY 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	+ FILING FEES		
	against the third party. Then the third party will have to pay the amount claimed plus interest and further expenses.	+ SERVICE FEES		
	The Court Address for filing documents is:	= TOTAL CLAIMED	\$	
			 DEBT OTHER THAN DEB' 	Т

British

REGISTRY LOCATION

THIRD PARTY NOTICE

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

THIRD PARTY NOTICE THIRD PARTY TEL.# PROV POSTAL CODE The defendant named below is being sued by the claimant. The defendant thinks you should pay all or part of the claim and is including you in the case as third party. DEFENDANT TEL. # PROV POSTAL CODE CLAIMANT TEL. # PROV POSTAL CODE

WHAT HAPPENED? This is why the

defendant in this case
thinks you are
responsible for all or
part of the claim.

Details of the claim
against the defendant
and the defendant's
reply are in the
enclosed documents.

If this box is checked the "what happened" section is continued on another page. Be sure you have been given a copy of it.

HOW MUCH? This is what the defendant claims from	a		 \$ 	
you.	b		\$	
	C		\$	
			\$	
		TOTAL	\$	i I
	TIME LIMIT FOR THE THIRD PARTY If you do 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	+ FILING FEES		
	you. Then you will have to pay the amount claimed plus interest and further expenses.	+ SERVICE FEES		
	The Court Address for filing documents is:	= TOTAL CLAIMED	\$	party
	-		DEBT OTHER THAN DE	5



NAME

NAME

NAME

ADDRESS

CITY, TOWN

MUNICIPALITY

ADDRESS

CITY, TOWN, MUNICIPALITY

ADDRESS

CITY, TOWN, MUNICIPALITY

FROM:

TO:

FORM 3 SCL 003 10/2004 (OPC 7530854503)

third party copy

REGISTRY LOCATION

THIRD PARTY NOTICE

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

- 	ADDRESS CITY, TOWN, MUNICIPALITY PROV. POSTAL COE NAME	TEL. #		
ROM:	MUNICIPALITY PROV. POSTAL COE			
)E		
	NAME			
		DEFEND	DANT_	-
-	CITY, TOWN,	TEL.#		
_	MUNICIPALITY PROV. POSTAL COE			
	NAME	CLAIN		
	ADDRESS	CLAIN		ì
-	CITY, TOWN,	TEL. #		
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APPENED? _				
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- - - - - - - - - - - - - - - - - - -	copy of it. a b c c f c f you do not settle directly with the claimant and the defendant or file a reply within 4 days from being served with this notice, a court order may be made against fou. Then you will have to pay the amount claimed plus interest and further expenses.	TOTAL + FILING FEES	\$ \$ \$ \$ \$ \$ \$	n a

FORM 4 SCL 004F 08/2006

CERTIFICATE OF SERVICE

30L 004F 00/2000				
Fill in:	I CE	ertify	that	
your name;	I I			Ο
the name of the party or other person served;	ser	ved		m
the date service took	on			ד
place; the street address	at	Date		
or location, city and province where service took place.	αι _			TIFIC
Name the documents	wit	h		2
that you served.	-			A
Tell how service took	-			Π
place by checking appropriate box(es) for:	-			0
ordinary mail and fill in the date mailed;	by		mailing a copy by ordinary mail to that person's address on	Т S
an individual;			leaving a copy of it with him or her.	m
			mailing a copy of it by registered mail to him or her.	
a company as defined			mailing a copy of it by registered mail to the registered office of the company.	RVICE
in the Business			leaving a copy of it 🛛 at the registered office of the company.	Ξ
Corporations Act;			at the place of business of the company, with a receptionist or a person who appears to	Ж
			manage or control the company's business there.	
			with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the company.	
an extraprovincial compan	IV		mailing a copy of it by registered mail to the attorney shown in the corporate registry.	
as defined in the Business			leaving a copy of it with the attorney shown in the corporate registry.	
Corporations Act;			leaving a copy of it at the head office shown in the corporate registry if that head office is in British Columbia. mailing a copy of it by registered mail to the head office shown in the corporate registry if that head office is in British Columbia.	
a partnership;			mailing a copy of it by registered mail to a partner.	
			leaving a copy of it u with a partner.	
			at the place of business of the partnership, with a person who appears to manage or control the	
			partnership business there.with a receptionist who works at a place of business of the partnership.	
a municipal corporation,			with a receptionist who works at a place of business of the partnership.	
regional district or other local government body;			giving a copy to the clerk, deputy clerk or a similar official.	
a young person;			leaving a copy of the notice with the defendant's mother, father or guardian.	
a society as defined in the			mailing a capy of it by registered mail to the address for capile on file with the Degistrer of Companies	
Society Act;			mailing a copy of it by registered mail to the address for service on file with the Registrar of Companies. leaving a copy of it	
			with a director, officer, receiver manager or liquidator of the society.	
an extraprovincial society as defined in the <i>Society</i>				
Act (if no attorney has bee	en		mailing a copy of it by registered mail to the attorney of the society appointed under section 77 of the Society Act.	
appointed, check one of the 2 preceding boxes for society);	а		leaving a copy of it with an attorney appointed under section 77 of the Society Act.	
			mailing a copy of it by registered mail to the registered office of the association.	
an unincorporated association or trade union	;		leaving a copy of it with an officer of the association or, in the case of a trade union, with a business agent.	
a corporation incorporated			mailing a copy of it by registered mail to a place of business or registered office of the corporation outside British Columbia.	
outside British Columbia if it is not an extraprovincial			leaving a copy of it 🛛 at a place of business or registered office of the corporation outside British Columbia with a	
company;			receptionist or a person who appears to manage or control the corporation's business, or	
			with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the corporation.	
alternate service method ordered by the Court.			(fill in any instructions given by a judge or registrar for service)	

NOTE: You must give proof of service by *REGISTERED MAIL* by attaching <u>one</u> of the following:

- 1. a copy, produced by fax or otherwise, of the signature obtained by Canada Post at the time the document was delivered.
- 2. a print-out of the delivery confirmation made available on the Internet by Canada Post (http://www.canadapost.ca).

THIRD PARTY NOTICE

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

PROV

PROV

HIRD PARTY NOTICE

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.

.OLUMBIA

NAME

ADDRESS

CITY, TOWN

NAME

ADDRESS

CITY, TOWN, MUNICIPALITY

MUNICIPALITY

FROM:

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

Copy the name, address and telephone	NAME						
number of the claimant from the notice of claim.	ADDRESS						
	CITY, TOWN, MUNICIPALITY		PROV.	POSTAL CODE	TEL. #		
WHAT							
HAPPENED?							
Tell what happened to make you think the third							

Tell w make party should pay all or part of the claim.

> 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? а Tell what you are \$ claiming from the third party. If the claim is made up of several b parts, separate them \$ here and show the amount for each part. Add these amounts and С fill in the total claimed. \$ d S TOTAL \$ TIME LIMIT FOR THE THIRD PARTY + FILING FEES 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 defendant's copy + SERVICE FEES against the third party. Then the third party will have to pay the amount claimed plus interest and further expenses. = TOTAL CLAIMED \$ The Court Address for filing documents is: DEBT □ OTHER THAN DEBT

FORM 3 SCL 003 10/2004 (OPC 7530854503)

REGISTRY LOCATION

THIRD PARTY

DEFENDANT

TEL.#

TEL. #

POSTAL CODE

POSTAL CODE

REGISTRY LOCATION

THIRD PARTY NOTICE

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

BRITISH COLUMBIA					
то:	NAME		т	HIRD PARTY	
	CITY, TOWN,		TEL. #		
	MUNICIPALITY	PROV.	POSTAL CODE		
	The defendant says that the th	hird party named above should pay a	all or part of your claim against	he defendant .	
ROM:	NAME ADDRESS		I	DEFENDANT	
	CITY, TOWN,		TEL.#		
	MUNICIPALITY	PROV.	POSTAL CODE		
	ADDRESS			CLAIMANT	
	CITY, TOWN, MUNICIPALITY		TEL. #		
WHAT		PROV.	POSTAL CODE		
HAPPENED? his is why the efendant says the third arty should pay part or Il of your claim.					
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HOW MUCH?	_a				1
lefendant says the third party should pay.				······································	

b		 \$	
		- - - \$	
d		; ; ;	
	TOTAL	\$	
TIME LIMIT FOR THE THIRD PARTY If the third party does not settle directly with the claimant and the defendant or file a	+ FILING FEES	 	
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.	SERVICE FEES	 	
The Court Address for filing documents is:	TAL CLAIMED	\$	
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THIRD PARTY NOTICE