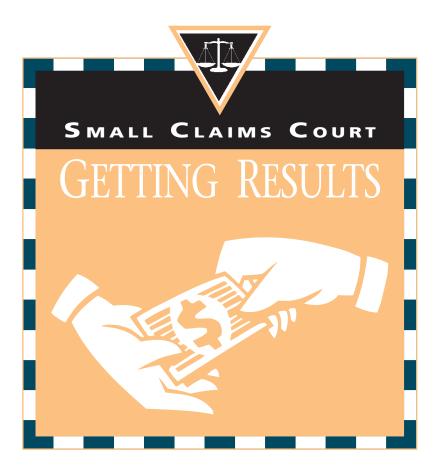
# SUMMONS TO A PAYMENT HEARING



**PROVINCIAL COURT OF BRITISH COLUMBIA** 





#### Step 1

**COMPLETE** the SUMMONS TO A PAYMENT HEARING. To complete the form, use a typewriter or print clearly. There are 4 copies, so be sure all copies are legible. For more help there are booklets called "Getting Ready for Court" and "Getting Results".



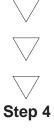
### Step 2

**FILE** the SUMMONS TO A PAYMENT HEARING by taking it to the Small Claims Court Registry. The staff will tell you the hearing date. Then they will check your form and when it is accepted for filing, apply the registry stamp and return the copies so the person named can be served.



### Step 3

**PERSONALLY SERVE** the party named in the summons with a copy of the summons at least 7 days before the hearing date. The purpose of "Service" is to make sure the person knows about the requirement to come to court. You should bring your completed affidavit of service to court with you. For more help with service there is a booklet called "Serving Documents".



**AND THEN** the person named must appear on the hearing date. If the person does not appear, a warrant for arrest of the person may be issued.

REGISTRY FILE NUMBER

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

You can require the person to bring records and other things that relate to:

- a) the income and assets of the debtor;
- b) the debts owed to and by the debtor;
- c) any assets that the debtor has disposed of since the claim arose;
- d) the means that the debtor has, or may have in the future, of paying the amount owed.



# **SUMMONS TO A PAYMENT HEARING**

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

REGISTRY LOCATION

Columbia		
TO:	NAME	
Fill in the name, address and telephone	ADDRESS	S
number of the person	CITY, TOWN, TEL. #	
you are requiring to come to court.	MUNICIPALITY PROV. POSTAL CODE	$\leq$
come to court.	You have been summoned to a payment hearing in the case between:	$\leq$
Copy the names of all		C
parties in the case as	CREDITOR	Ž
shown on the Payment or Default Order.	and	UMMONS
of Delaun Order.	DEBTOR	
		C
	You are required to attend the Provincial Court of British Columbia	Þ
Fill in the date, time and place of the hearing.		τ
place of the floating.	at or as soon after this time as the court	P
	date time am / pm schedule allows.	
		PAYMENI
	at	Ц
	court location	2
	You are required to bring the following records and other things:	I
List what you want the		Π
person to bring to court.		$\triangleright$
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		7
		ARING
		U,
If claiming Interest, show your calculation.	(a) Total Amount of Payment Order \$	
Attach an extra sheet if	(b) Less any payments to the creditor - \$	
necessary.	<ul> <li>(c) Amount remaining due = \$</li> <li>(d) Interest (calculated to the date below) + \$</li> </ul>	
	<ul> <li>(d) Interest (calculated to the date below) + \$</li> <li>(e) Creditor's expenses allowed by the Court + \$</li> </ul>	
	Amount Due to the creditor $Total = $	
	What happens at the payment hearing?	
	Evidence may be heard about any of the following:	
	a) the income and assets of the debtor;	
	b) the debts owed to and by the debtor;	
	c) any assets that the debtor has disposed of since the claim arose;	
	d) the means that the debtor has, or may have in the future, of paying the amount owed.	
	Can the summons be cancelled?	
	Any person who is served with a Summons to a Payment Hearing may apply to a judge who may	
	a) cancel the summons if the person is not the right person to provide information on behalf of the debtor, and	
	b) direct the registrar to issue a new summons to someone who is the right person to provide the information.	
		2
	What happens if the person summoned does not attend?	
	If the creditor asks, a warrant for the arrest of the person may be issued.	2

date



TO:

### SUMMONS TO A PAYMENT HEARING

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

CITY, TOWN, MUNICIPALITY					TEL. #	
		PROV.		OSTAL CODE		
You have been	summoned to a payment	t hearing	in the cas	e betwee	en:	
						CREDITOR
and						
						DEBTOR
You are require	d to attend the Provincia	al Court o	of British C	olumbia		
			ot			or as soon after thi time as the court
	date		at	time	am / pm	schedule allows.
	Γ					
	at					
				court location		
You are require	at d to bring the following r	records a				
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	d to bring the following r		and other t			
(a) Total Amount	of Payment Order		and other t			
(a) Total Amount (b) Less any pay	of Payment Order ments to the creditor		and other t			
(a) Total Amount (b) Less any pay (c) Amount rema	of Payment Order ments to the creditor ining due	- - -	and other t			
(a) Total Amount (b) Less any pay (c) Amount rema (d) Interest (calcu	of Payment Order ments to the creditor ining due ilated to the date below)	- - -	and other t	hings:		
(a) Total Amount (b) Less any pay (c) Amount rema (d) Interest (calcu	of Payment Order ments to the creditor ining due ilated to the date below) penses allowed by the Court	- - -	and other t			
<ul> <li>(a) Total Amount</li> <li>(b) Less any pay</li> <li>(c) Amount rema</li> <li>(d) Interest (calculate)</li> <li>(e) Creditor's exp Amount Due for the second secon</li></ul>	of Payment Order ments to the creditor ining due ilated to the date below) reenses allowed by the Court o the creditor Total	- = + +	and other t	hings:		
<ul> <li>(a) Total Amount</li> <li>(b) Less any pay</li> <li>(c) Amount rema</li> <li>(d) Interest (calculation)</li> <li>(e) Creditor's exp Amount Due</li> <li>What happens</li> </ul>	of Payment Order ments to the creditor ining due ilated to the date below) penses allowed by the Court o the creditor Total at the payment hearing?	- = + +	and other t	hings:		
(a) Total Amount (b) Less any pay (c) Amount rema (d) Interest (calcu (e) Creditor's exp Amount Due What happens Evidence may	of Payment Order ments to the creditor ining due ilated to the date below) reenses allowed by the Court o the creditor Total	- = + + =	and other t	hings:		

#### Can the summons be cancelled?

You may apply to a judge who may

- a) cancel the summons if you are not the right person to provide information on behalf of the debtor, and
- b) direct the registrar to issue a new summons to someone who is the right person to provide the information.

#### What happens if you do not attend?

If the creditor asks, a warrant for the arrest of the person may be issued.

date

summons copy

summons copy



TO:

## SUMMONS TO A PAYMENT HEARING

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

REGISTRY LOCATION

ADDRESS						-
CITY, TOWN,				TEL. #		-
MUNICIPALITY	PROV.	POS	STAL CODE			-
You have been summoned to a paym	ent hearing i	n the case	e between	n:		
	2 A D V			(	CREDITOR	-
<u> </u>	<u>y OF I</u>					-
and					DEDTOD	
					DEBTOR	-
						-
You are required to attend the Provin	cial Court of	British Co	olumbia			
		ot			or as soon aft time as the co	
date		at	time	am / pm	schedule allow	
at						
		COL	urt location			
(a) Total Amount of Payment Order	\$					
	- \$					
(b) Less any payments to the creditor						
<ul><li>(b) Less any payments to the creditor</li><li>(c) Amount remaining due</li><li>(d) Interest (calculated to the date below)</li></ul>	- \$ = \$ + \$					
<ul> <li>(b) Less any payments to the creditor</li> <li>(c) Amount remaining due</li> <li>(d) Interest (calculated to the date below)</li> <li>(e) Creditor's expenses allowed by the Court</li> </ul>	- \$ = \$ + \$					
<ul><li>(b) Less any payments to the creditor</li><li>(c) Amount remaining due</li><li>(d) Interest (calculated to the date below)</li></ul>	- \$ = \$ + \$					
<ul> <li>(b) Less any payments to the creditor</li> <li>(c) Amount remaining due</li> <li>(d) Interest (calculated to the date below)</li> <li>(e) Creditor's expenses allowed by the Cou Amount Due to the creditor To</li> </ul>	- \$ = \$ + \$ rt + \$ tal = \$					
What happens at the payment hearing Evidence may be heard about any of the	- \$ = \$ + \$ tal = \$ <b>g</b> ? e following:			-		
<ul> <li>(b) Less any payments to the creditor</li> <li>(c) Amount remaining due</li> <li>(d) Interest (calculated to the date below)</li> <li>(e) Creditor's expenses allowed by the Cou Amount Due to the creditor To</li> </ul> What happens at the payment hearing Evidence may be heard about any of the	- \$ = \$ + \$ tal = \$ <b>g</b> ? e following:					
<ul> <li>(b) Less any payments to the creditor</li> <li>(c) Amount remaining due</li> <li>(d) Interest (calculated to the date below)</li> <li>(e) Creditor's expenses allowed by the Cou Amount Due to the creditor To</li> </ul> What happens at the payment hearing Evidence may be heard about any of the	- \$ = \$ + \$ tal = \$ <b>g</b> ? e following:					
<ul> <li>(b) Less any payments to the creditor</li> <li>(c) Amount remaining due</li> <li>(d) Interest (calculated to the date below)</li> <li>(e) Creditor's expenses allowed by the Court Amount Due to the creditor</li> <li>What happens at the payment hearing Evidence may be heard about any of the at the income and assets of the de book of a book of book o</li></ul>	- \$ = \$ + \$ tal = \$ g? e following: btor: ot(r;) D Y	e the claim	arose;	_		
<ul> <li>(b) Less any payments to the creditor</li> <li>(c) Amount remaining due</li> <li>(d) Interest (calculated to the date below)</li> <li>(e) Creditor's expenses allowed by the Cou Amount Due to the creditor To</li> </ul> What happens at the payment hearing Evidence may be heard about any of the	- \$ = \$ + \$ tal = \$ g? e following: btor: ot(r;) D Y	e the claim	arose;	_	nt owed.	
<ul> <li>(b) Less any payments to the creditor</li> <li>(c) Amount remaining due</li> <li>(d) Interest (calculated to the date below)</li> <li>(e) Creditor's expenses allowed by the Court Amount Due to the creditor</li> <li>What happens at the payment hearing Evidence may be heard about any of the at the income and assets of the de book of a book of book o</li></ul>	- \$ = \$ + \$ tal = \$ g? e following: btor: ot(r;) D Y	e the claim	arose;	_	nt owed.	
<ul> <li>(b) Less any payments to the creditor</li> <li>(c) Amount remaining due</li> <li>(d) Interest (calculated to the date below)</li> <li>(e) Creditor's expenses allowed by the Court Amount Due to the creditor</li> <li>(f) To the creditor</li></ul>	- \$ = \$ + \$ tal = \$ g? e following: btor: ot(r;) D Y	e the claim	arose;	_	nt owed.	
<ul> <li>(b) Less any payments to the creditor</li> <li>(c) Amount remaining due</li> <li>(d) Interest (calculated to the date below)</li> <li>(e) Creditor's expenses allowed by the Court Amount Due to the creditor</li> <li>(f) What happens at the payment hearing Evidence may be heard about any of the a) the income and assets of the de b of eat For y and the det of any assets that the debtor has a d) the means that the debtor has, of Can the summons be cancelled?</li> </ul>	- \$ = \$ + \$ tal = \$ <b>g?</b> e following: btor: btor: btor: btor: of (f;) D for may have in t	e the claim he future, o son to provi	arose; f paying the	e amour tion on t	behalf of the	

date	

by the court

### **AFFIDAVIT OF SERVICE**

SCL 004C 01/02		АГ	FIDAVIT OF SERVICE	
Fill in:	name		occupation	
your name and address;	of addr	ress		2
		Ма	ake oath and say that:	
		Sc	emnly affirm that:	Ē
the name of the party or other person served;	l serv	ed _		— X
the date service took place	on _			<
the address or location service took place.	dat 	te		
Tell what was served. Check appropriate box.	with		a copy of the "Summons to a Payment Hearing" attached.	C
encon appropriate box.			a copy to the "Summons to a Default Hearing" attached.	<b>– –</b>
				_ ()
				_ Π
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Tell how service took place	by		leaving a copy of it with him or her.	
			as directed by the court by	- C
				— П
				_
				—
De net eign vour				
Do not sign your affidavit until a commissioner for the				
taking affidavits is			signature of person who served the document	
present.	Swor	n/aff	irmed before me on	
A commissioner for the				
taking of affidavits will witness your signature			date location where affidavit is swom	
			signature of commissioner for taking affidavits for British Columbia	



## SUMMONS TO A PAYMENT HEARING

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

REGISTRY LOCATION

NAME
ADDRESS
CITY, TOWN, TEL #
CITY, TOWN, TEL. # MUNICIPALITY PROV. POSTAL CODE
You have been summoned to a payment hearing in the case between:
CREDITOR
and
DEBTOR
You are required to attend the Provincial Court of British Columbia
or on soon ofter this
at or as soon after this time as the court
date time am / pm schedule allows.
at
court location
You are required to bring the following records and other things:
(a) Total Amount of Daymant Order
(a) Total Amount of Payment Order       \$
(c) Amount remaining due = \$
(d) Interest (calculated to the date below) + \$
(e) Creditor's expenses allowed by the Court + \$
Amount Due to the creditor $Total = $
What happens at the payment hearing?
Evidence may be heard about any of the following:
a) the income and assets of the debtor;
b) the debts owed to and by the debtor;
c) any assets that the debtor has disposed of since the claim arose;
d) the means that the debtor has, or may have in the future, of paying the amount owed.
Can the summons be cancelled?

- - a) cancel the summons if the person is not the right person to provide information on behalf of the debtor, and b) direct the registrar to issue a new summons to someone who is the right person to provide the information.
- What happens if the person summoned does not attend?

date

If the creditor asks, a warrant for the arrest of the person may be issued.

by the court