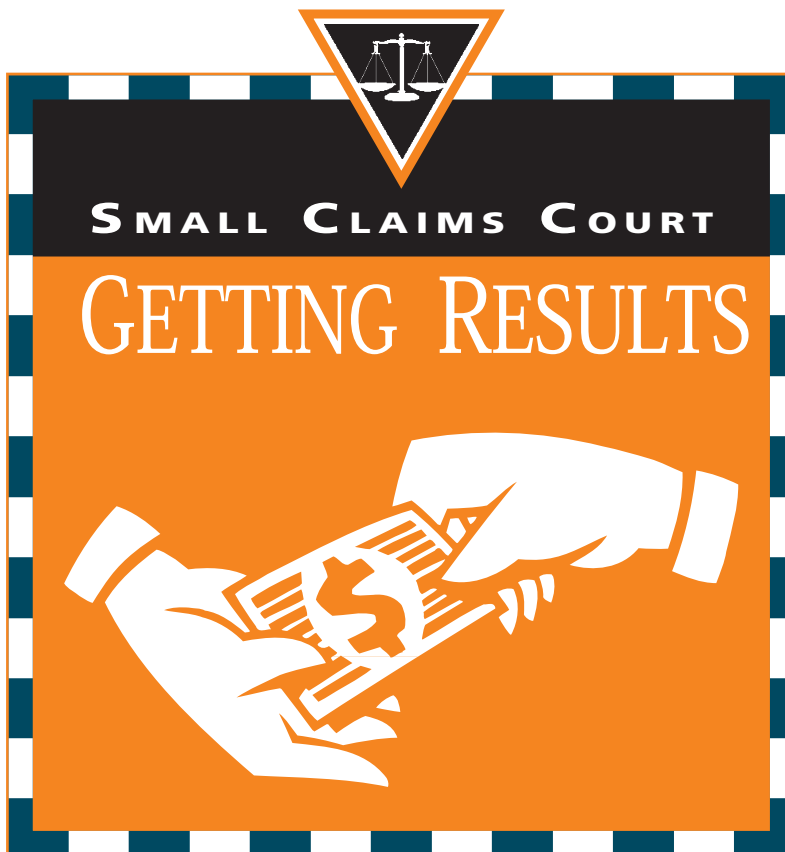


NOTICE OF PAYMENT HEARING



PROVINCIAL COURT OF BRITISH COLUMBIA

NOTICE OF A PAYMENT HEARING

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

REGISTRY FILE NUMBER
REGISTRY LOCATION

TO:

NAME _____ **CREDITOR**
ADDRESS _____
CITY, TOWN, MUNICIPALITY _____ TEL. # _____
PROV. _____ POSTAL CODE _____

FROM:

NAME _____ **DEBTOR**
ADDRESS _____
CITY, TOWN, MUNICIPALITY _____ TEL. # _____
PROV. _____ POSTAL CODE _____

A payment hearing will be held in the Provincial Court of British Columbia

on date at time am / pm or as soon after this time as the court schedule allows.
at court location

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.

The Judge or Justice of the Peace may order a payment schedule specifying

- a) the date by which the debt must be paid, or
- b) the amounts and dates of installments.

What happens if a creditor does not attend the payment hearing?

The Judge or Justice of the Peace may hold the hearing, cancel it or postpone it.

If you do not plan to attend, you should let the registry know that by letter.

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SERVICE COPY

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SERVICE COPY

NOTICE OF A PAYMENT HEARING

CERTIFICATE OF SERVICE

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I certify that

Fill in:
your name;
the name of the party or other person served;
the date service took place;
the street address or location, city and province where service took place.

I _____
served _____
on _____
at _____
with _____

Name the documents that you served.

Tell how service took place by checking appropriate box(es) for:

ordinary mail and fill in the date mailed;

by mailing a copy by ordinary mail to that person's address on _____
Date

an individual;

- leaving a copy of it with him or her.
- mailing a copy of it by registered mail to him or her.

a company as defined in the *Business Corporations Act*;

- mailing a copy of it by registered mail to the registered office of the company.
- leaving a copy of it
 - at the registered office of the company.
 - at the place of business of the company, with a receptionist or a person who appears to manage or control the company's business there.
 - with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the company.

an extraprovincial company as defined in the *Business Corporations Act*;

- mailing a copy of it by registered mail to the attorney shown in the corporate registry.
- leaving a copy of it with the attorney shown in the corporate registry.
- 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
 - 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, 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 *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
 - at the address for service on file with the Registrar of Companies.
 - with a director, officer, receiver manager or liquidator of the society.

an extraprovincial society as defined in the *Society Act* (if no attorney has been appointed, check one of the 2 preceding boxes for a society);

- mailing a copy of it by registered mail to the attorney of the society appointed under section 77 of the *Society Act*.
- leaving a copy of it with an attorney appointed under section 77 of the *Society Act*.

an unincorporated association or trade union;

- mailing a copy of it by registered mail to the registered office of the association.
- 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 outside British Columbia if it is not an extraprovincial company;

- mailing a copy of it by registered mail to a place of business or registered office of the corporation outside British Columbia.
- leaving a copy of it
 - at a place of business or registered office of the corporation outside British Columbia with a 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 one 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>).

Date

Signature of person who served the document

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