

THIRD PARTY NOTICE



PROVINCIAL COURT OF BRITISH COLUMBIA

ADDING A THIRD PARTY TO A CLAIM

REGISTRY FILE NUMBER

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

Step 1

COMPLETE the THIRD PARTY NOTICE. Please print clearly and firmly as there are 5 copies and all must be legible. If you accessed this form from the Government of BC website, you may complete using a computer and then print 5 copies. You must also complete an [Address for Service](#) (Form 38), if not previously filed. For more help there are guides called "[Making a Claim](#)" and "[Replying to a Claim](#)".

Step 2

FILE the THIRD PARTY NOTICE and [Address for Service](#) (Form 38) with the small claims registry. The fee for filing a THIRD PARTY NOTICE is \$25. There is no fee for filing the Address for Service Form. If you are making a claim against a company or a society, you must file a copy of the company search showing the most recent address of the company or society on file with the Registrar of Companies. Staff will check your forms and when accepted for filing will apply the registry stamp and 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
- a copy of Address for Service form filed by each of the parties
- a blank Address for Service form.

This is how the third party is notified that they are being sued and what the case is about. Within 30 days of serving the third party, if no reply is filed, **you must** file a certificate of service, to prove the third party has been served with the notice and the other required documents. For more help with service there is a booklet called "[Serving Documents](#)".

Step 4

IF the third party files a reply, the small claims registry will send everyone a copy of the reply and their address for service form, and set a date for a settlement conference, if not previously scheduled. If no reply is filed within the time limit on the THIRD PARTY NOTICE, you may apply to a judge for an order against the third party.

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?

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

For example:

a	Amount owing on unpaid invoice	\$\$\$\$\$\$\$\$
b	Interest under the contract	\$\$\$\$\$\$\$\$

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

Forms and guides can be found at the Government of BC website: www.gov.bc.ca/smallclaims

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. Should the third party notice expire you can apply to the registrar to have it renewed.

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

REGISTRY LOCATION

Tell what you are claiming the third party is responsible for. 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.

court copy

THIRD PARTY NOTICE

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

REGISTRY FILE NUMBER

REGISTRY LOCATION

TO:

NAME

THIRD PARTY

ADDRESS

CITY, TOWN,
MUNICIPALITY

TEL. #

PROV.

POSTAL CODE

FROM:

NAME

DEFENDANT

NAME

CLAIMANT(S)

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 an additional pages(s).
_____ additional pages were filed. Be sure you have been given a copy of all additional pages.

HOW MUCH?

This is what the defendant claims from you.

a	\$		
b	\$		
c	\$		
d	\$		
e	\$		
TOTAL	\$		
+ FILING FEES			
+ SERVICE FEES			
= TOTAL CLAIMED	\$		

TIME LIMIT FOR A THIRD PARTY TO REPLY

If the third party does not settle directly with the claimant and the defendant or file a reply **within 14 days** after being served in British Columbia **or within 30 days** after being served outside of British Columbia with this notice, **a court order may be made against the third party**. Then the third party may have to pay the amount claimed plus interest and expenses.

The Court Address for filing documents is:

☐ DEBT
☐ OTHER THAN DEBT

THIRD PARTY NOTICE

third party copy

third party copy

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

REGISTRY LOCATION

TEL. #

DEFENDANT

CLAIMANT(S)[illegible]

a	\$		
b	\$		
c	\$		
d	\$		
e	\$		

service copy

FORM 3
SCL 003 10/2022
(OPC 7530854503)

CERTIFICATE OF SERVICE

REGISTRY FILE NUMBER

REGISTRY LOCATION

CERTIFICATE OF SERVICE

Fill in:

Who served the document(s)?

the **name of the party** served;

When were the document(s) served?

Where were the document(s) served?

I certify that

I, _____

served _____

on _____
Day/Month/Yearat _____
Street address or location, city, province

with _____

LIST and **ATTACH ALL** document(s) that you served.

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

by

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.

Insurance Corporation of BC (ICBC);

- ☐ Mailing a copy of it by registered mail to the legal department at the Insurance Corporation of British Columbia (ICBC).
☐ Leaving a copy of it at the legal department at the Insurance Corporation of British Columbia (ICBC).

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 within the meaning of the *Societies Act*;

- ☐ Mailing a copy of it by registered mail to the mailing address of the society's registered office on file with the Registrar of Companies.
☐ Leaving a copy of it ☐ at the delivery address of the society's registered office on file with the Registrar of Companies
☐ with a director, officer, receiver manager or liquidator of the society.

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
☐ with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the corporation.

ordinary mail (and fill in the date mailed);

- ☐ Mailing a copy of it by ordinary mail to that person's address on _____
Day/Month/Year

(NOTE: The date the documents are presumed served (above) is 14 days after this date.)

- ☐ (Indicate other service method or instructions given by a judge or registrar for service.)

OTHER SERVICE method or alternate method ordered by the Court.

_____**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>).

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

REGISTRY LOCATION

defendant's copy

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

REGISTRY LOCATION

POSTAL CODE

NAME _____