

OFFER TO SETTLE

In the Provincial Court of British Columbia (Small Claims Court)

REGISTRY FILE NUMBER
REGISTRY LOCATION

OFFER TO SETTLE

In the case between:				CLAIMANT(S)
NAME _____				
ADDRESS _____				
CITY, TOWN, MUNICIPALITY _____	PROV. _____	POSTAL CODE _____	TEL. # _____	
and				DEFENDANT(S)
NAME _____				
ADDRESS _____				
CITY, TOWN, MUNICIPALITY _____	PROV. _____	POSTAL CODE _____	TEL. # _____	
				THIRD PARTY
NAME _____				
ADDRESS _____				
CITY, TOWN, MUNICIPALITY _____	PROV. _____	POSTAL CODE _____	TEL. # _____	

OFFER TO SETTLE:
The claimant(s) or defendant(s) or third party

NAME _____
offer to settle this claim(s) in the following terms:

Dated _____

at _____

Sign, print or type name

<p>TIME LIMIT FOR AN OFFER An offer to settle may be made up to 30 days after the conclusion of a settlement conference or mediation session, or later if permitted by a judge. A party who receives an offer has 28 days after being served with the offer to accept the offer. No response will be considered a rejection.</p> <p>ACCEPTANCE OF OFFER To accept the offer to settle, the party must complete an Acceptance of Offer (Form 19) and serve the other party within 28 days of being served with the offer.</p> <p>FILING OFFER AND ACCEPTANCE If a party served with an acceptance of offer files the offer and the acceptance in the registry, the acceptance becomes a payment order.</p> <p>NOTICE OF PENALTY A trial judge may order a party to pay a penalty if the offer to settle has been rejected. A penalty is in addition to any other expenses and may be up to 20% of the amount of the offer to settle.</p> <p>THE COURT ADDRESS FOR FILING DOCUMENTS IS: _____</p> <p>_____</p> <p>_____</p>	<p>EXPIRY DATE OF OFFER</p> <p>_____</p> <p>REGISTRY USE ONLY</p> <p>Dated _____</p> <p>_____</p> <p>Signature _____</p>
--	--

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/Year

at _____
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>).