

GENERAL INFORMATION:

CLAIMANTS UNDER 18 YEARS OF AGE: Claimants under 18 years must be represented by a parent or litigation guardian. Please advise the registry officer at time of filing.

RESIDENTIAL RENTAL: Claims regarding residential rent arrears and/or damages, water bills, etc., fall under the jurisdiction of Residential Tenancies, 302 - 254 Edmonton Street, Winnipeg MB R3C 3Y4.

CLAIM PRINCIPAL ONLY: Allowable interest, costs (filing fee, etc.), or other procedural charges are **NOT** to be part of principal amount claimed. Ask for these during out-of-court settlement discussions or at the time of hearing.

INTEREST: Court set rate of interest is automatically claimed for at the time of filing. In the case of contract/agreement rate, that rate should be claimed for in the body of the claim. At the time of the hearing, interest calculation to that date must be presented in order that it may be allowed.

MAXIMUM CLAIMABLE: Claims up to \$10,000 may be filed. Principal amount over \$10,000 must be waived in order to proceed through Small Claims Court. General damages of up to \$2,000 may be claimed as part of the maximum amount.

NOT LAWYERS: Court staff are not legally trained and so can provide procedural guidance only. Contents of the claimant's claim are solely those of the filer and are not to be construed as a direction by court staff.

CLAIM IN CANADIAN "\$": All claims involving international monies **MUST** be converted into Canadian dollars at the current exchange rate at the time of incident.

CLAIMS AGAINST SPOUSE: Claims arising out of a husband/wife (or common-law) relationship will likely fall under the Family Division of the Court of Queen's Bench. You may wish to seek legal advice.

FAILURE TO APPEAR: If you do not appear at the hearing, default judgment may be given against you and you may not then appeal this decision unless you first obtain leave to appeal from a judge.

FILING FEE: Fee for filing each claim is \$50 for claims \$5000 and under / \$75 for claims \$5000.01 to \$10,000, payable by cash or cheque (there is a \$20 charge for NSF cheques.) Upon claim being filed, the claimant is responsible for ensuring document is delivered to each defendant and that a declaration/affidavit of service on each defendant is filed 10 days before the hearing date. For further information, contact the Small Claims Court office.