

Application to the National Consumer Tribunal upon failure of alternative dispute resolution between a consumer and credit provider.

This application must be filed with the Tribunal and served on the party mentioned in Part B, in accordance with Tribunal Rules 4-16.

Date _____

To _____

(the other party to the failed ADR process)

Please take note that the Applicant named in Part A has commenced proceedings before the National Consumer Tribunal for an order described in Part D

Further note that you may oppose the application / intervene in the matter by serving an answer within 15 business days of the date of this notice on the Applicant and on the other parties to whom this notice is addressed. Your answer must comply with the Tribunal Rules.

Part A: Details of the Applicant.

Name, physical and postal address, e-mail, telephone and fax number:

Company registration or identity number _____

If applicable, National Credit Regulator registration number and date of registration with the Regulator:

Part B: Details of the credit provider.

Name, physical and postal address, e-mail, telephone and fax number:

Identity number. _____

If applicable, National Credit Regulator registration number and date of registration with the Regulator:

Part C: Details of the ADR agent to whom the matter was referred.

Name, physical and postal address, e-mail, telephone and fax number:

Identity number _____

National Credit Regulator registration number and date of registration with the Regulator.

Part D: Order sought from the Tribunal.

I/we, in view of, _____

(state the principal points of dispute as well as any allegation of prohibited conduct)

hereby apply for an order that: _____

(formulate the order sought from the Tribunal).

Part E: Applicant's certification that its attempt at alternative dispute resolution has failed.

I/we certify that we have tried in good faith to resolve the dispute directly with the other party and through alternative dispute resolution, but that these attempts have failed.

Attach a copy of the ADR agent's completed Form NCR 28, together with the documents referred to in that form.

State date of the failure of ADR (as stated on the agent's certificate Form NCR 28) _____

If this application is brought more than 20 business days after the date stated above, provide reasons why the Tribunal should permit the application _____

Part F: Applicant's certification of notice to parties, service of documents and means of service.

I/we certify that the party named in Part B has been notified of this application by service in the manner indicated below, of a copy of this Form:

- delivery to the party's physical address
- dispatch by registered mail to the party's postal address
- dispatch by fax or e-mail, with delivery to a physical address or by registered mail to follow.

Part G: Applicant's certification of other documents appended to the application.

I/we certify that the following documents are appended to this application;

a) a copy of the Form and document mentioned in Part E;

b) proof of service in accordance with Tribunal Rule 30 for the party named in Part B.

Signed at _____ on _____

by _____ (name) _____ (position)

Applicant, or duly authorized to sign on behalf of the Applicant.