

# Criteria and Claim Amount



**Motor Vehicle  
Dealers  
Compensation Fund**

## MY/OUR CONTACT INFORMATION:

Name: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Fax: \_\_\_\_\_

## SECTION A: CLAIM CRITERIA FOR TRANSACTIONS ON/BEFORE DEC 31, 2009

If your trade or transaction with the dealer **occurred on or before Dec 31, 2009**, please complete **Section A**.  
(If your trade or transaction occurred after Dec 31, 2009, see Section B.)

**Please provide all supporting documents.**

**Check all that apply:**

- Judgment** against a motor vehicle dealer that has become **final**. *(Include all court documents.)*
- Dealer has failed to return a **deposit** to a consumer on **an undelivered motor vehicle**. *(This excludes a claim for a refund of monies paid by the customer to the dealer in which the customer has been provided the motor vehicle, but demands a refund based on the cost, value or quality of the vehicle provided.)*
- Dealer has become **bankrupt, a receiver has been appointed or a winding-up order has been made**.
- Dealer has been **convicted under the Criminal Code of Canada of fraud, theft or false pretences** related to the trade.
- Payment for an **uninsured extended warranty** product or **service plan** and the term has not expired, and the dealer did not remit or pay warranty/service plan provider *(e.g., the claim is for unearned premium or repair/service which would have been covered).*

**Amount Of Claim: \$** \_\_\_\_\_

\_\_\_\_\_  
Date (YYYY/MM/DD)

\_\_\_\_\_  
Signature

**SECTION B: CLAIM CRITERIA FOR TRANSACTIONS ON/AFTER JANUARY 1, 2010**

If your trade or transaction with a dealer **occurred on or after January 1, 2010**, please complete **Section B**.  
(If your trade or transaction occurred before January 1, 2010, see Section A.)

**Please provide all supporting documents.**

**Check all that apply:**

- Judgment** against a motor vehicle dealer that has become **final**. *(Include all court documents.)*
- Dealer has failed to return a **deposit** to a consumer **on an undelivered motor vehicle**. *(This excludes a claim for a refund of monies paid by the customer to the dealer in which the customer has been provided the motor vehicle, but demands a refund based on the cost, value or quality of the vehicle provided.)*
- Dealer has become **bankrupt, a receiver has been appointed or a winding-up order has been made**.
- Dealer has been **convicted of an offence related to the trade** in the motor vehicle.
- Dealer has **failed to remit payment on an extended warranty contract**, or has not paid for a repair which would have been covered by the dealer's warranty and/or has not refunded the warranty premium paid by the consumer.
- Dealer has seriously **misrepresented the vehicle** to the consumer and the consumer **would be eligible for rescission of the contract under Section 50 of the new MVDA**.
- Dealer has had **its licence revoked by the Registrar** *(and one of the reasons includes issues related to your transaction)*.
- The claim's motor vehicle has been **seized by the police** or **lawfully seized by a creditor (not your creditor)**, and the **motor vehicle will not be returned**.
- Dealer made a **material misrepresentation** to you about the vehicle that is not covered in item (f) above.
- The dealer has **failed to honour or remit the conditions of a service plan agreement**.

**Amount Of Claim: \$** \_\_\_\_\_

\_\_\_\_\_  
Date (YYYY/MM/DD)

\_\_\_\_\_  
Signature

The following information is provided as a guideline only and is not meant to be exhaustive. You are encouraged to review our FAQ brochure, the relevant sections of the **Motor Vehicle Dealers Act** and Regulations or the **Motor Vehicle Dealers Act, 2002** and Regulations (depending on the date of your transaction with the dealer) and to consult with your lawyer if you have any questions.

Only proven out-of-pocket or pecuniary amounts can be considered from qualified claimants (only an individual customer or those consumers acting for personal or family use and not for business purposes may make a claim to the Fund if they involve a registered motor vehicle dealer). Private transactions cannot be considered by the Fund.