

PLEASE READ THE FOLLOWING INFORMATION PRIOR TO COMPLETING YOUR SMALL CLAIMS APPLICATION

The Small Claims procedure is an alternative method of commencing and dealing with a civil proceeding in respect of a small claim and is provided for under the District Court (Small Claims Procedure) Rules, 1997 & 1999 as amended by Statutory Instrument No. 519 of 2009, Order 53A.

It is a service provided by District Court offices and is designed to handle consumer claims and business claims cheaply without involving a solicitor, provided that the claim does not exceed €2,000.00 in each case.

The District Court Clerk, called the Small Claims Registrar, processes small claims.

Where possible, the Registrar will negotiate a settlement without the need for a court hearing. If the matter cannot be settled the Registrar will bring your claim before the District Court.

Types of eligible claims:

- (a) a claim for goods or services bought for private use from someone selling them in the course of a business (consumer claims)
- (b) a claim for goods or services bought for business use from someone selling them in the course of a business (business claims)
- (c) a claim for minor damage to property (but excluding personal injuries)
- (d) a claim for the non-return of a rent deposit for certain kinds of rented properties. For example, a holiday home or a room / flat in a premises where the owner also lives / sublet.

Claims in respect of other matters relating to rented accommodation must be brought to: The Residential Tenancies Board; Telephone: 01-702 8100 or 0818 30 30 37
8:00am to 6:00pm Monday to Friday Website: www.prtb.ie

Excluded from the small claims procedure are claims arising from:

- (a) a hire-purchase agreement
 - (b) a breach of a leasing agreement
 - (c) debts
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Please Take Note of the Following Points

The Decision on whether or not to make a claim is a matter for yourself and only you can be the judge of that.

In making a claim you must be sure of the name and address of the person or company against whom you want to make a claim. These details must be accurate in order to enable the Sheriff to execute the Court Order (Decree).

When a Respondent is a company / business / sole trader, rather than an individual, it is important to ascertain their correct title. This may be obtained from the Companies Registration Office, telephone no. 01- 804 5200/1, or Lo Call 1890 220 226.

Clarifying this may entail some research on your part.

Costs (including application fee) / compensation / expenses cannot be claimed through this procedure, only the amount paid for the service / item that later proved faulty / cost of repairing damage / amount of key money paid.

Consider carefully before deciding to make a small claim but remember that the procedure is there to help you to make your small claim with a minimum of procedural red tape and at little cost.

The Consumer and Consumer Protection Commission, telephone no. 01 402 5555 / www.consumerhelp.ie provide template letters on their web site, that may be copied and sent to a Respondent, before commencing a Small Claim, as a warning of intention to proceed with a Claim, should they fail to resolve the matter directly with you.

Remember, there is little satisfaction to be gained from winning your case if the Respondent has no money to pay a judgment debt.

Information on writing a letter of Complainant against a Business

Prior to Issuing a Small Claim

Please Note that the Competition and Consumer Protection Commission have Complaint Letter templates that you can draft up and send to the business that you are in dispute with in relation to Goods // Services you purchased from them.

You can Log onto the Competition and Consumer Protection Commission homepage:

<https://www.ccpc.ie> then on the Consumer half of the page Click on the “Find Out More” tab. Thereafter click on “How to Complain”.

You will see a number of links including Complaint Letters Templates.

You can view Two types of Templates.

Choose the one which applies i.e. Faulty Goods or Poor Service.

Download the relevant letter type, edit same and send a copy to the seller.

If the seller does not reply within 10 working days then you can submit your small application form to us either Online (www.csol.ie) or manually.

If you are lodging a Manually Filled out Application, do not forget to attach a copy of your complaint letter and /or other copy exhibits (e.g. purchase receipts etc) to the back of the main form.

**Small Claims Office; DMD, Ground Floor, Áras Uí Dhálaigh, Inns Quay, Dublin 7
D07 N972. Telephone: 01 888 6854 E Mail: smallclaimsdmd@courts.ie**

GUIDE TO COMPLETING AN APPLICATION THROUGH THE SMALL CLAIMS PROCEDURE

- Under the heading "Claimant" fill out your name, address, telephone number & email address.
- Under the heading "Respondent", fill out the name and address of the person or company you are making the claim against.
- It is **your responsibility** to ensure that the Respondent's title is correctly stated on the claim form. Failure to do so could make any award granted by the Court impossible for the Sheriff to enforce.
- The name which is over a shop or on a receipt etc may not be sufficient. You should state either the ***owner's name trading as the name of the business***, if a business or the ***limited company name***, if a limited company.
- In general, queries regarding title can be answered by the :
**Companies Registration Office at: Bloom House, Gloucester Place
Lower, Dublin 1: Phone number 01 8045200 or Lo call 1890220226
Email: info@cro.ie Website: www.cro.ie**
- The Courts Service will not accept any liability with regard to the above.
- State the amount claimed in the form. (**Maximum €2000**)
- Give brief details of your claim stating when & where you purchased the goods or service, how much you paid to the Respondent, what the problem is, and how you have tried to resolve it.
- Date and sign the form.
- **PAYMENT**: The Court fee is **€25.00** and is payable by Postal Order / Bank Draft / Cheque made out to **"The Courts Service"**
- **This fee amount cannot be included in your claim.**
- Your Application form and payment should be sent to the following address:-
- **The Small Claims Registrar, DMD Small Claims Office, Ground Floor, Áras Uí Dhálaigh, Inns Quay, Dublin 7. Eircode: D07 N972**
- Your application will be processed as soon as possible after it is received. **If approved**, a copy will be sent by Registered Post to the Respondent. Any reply received from the Respondent will be copied and posted to you for your comments. **If rejected**, it will be returned to you, with the fee enclosed, stating why it was rejected.
- If the Respondent fails to reply to the claim, you may be entitled to Judgement by Default.
- It is your responsibility to follow through on this claim. If after **6 weeks** you receive no reply from either this office or the Respondent directly, please contact us to discuss the next step in the procedure.

Telephone Number: - 01 888 6854 / E.Mail :- smallclaimsdmd@courts.ie

Claim No D:SC:DMA:2024:00

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THE DISTRICT COURT

DUBLIN METROPOLITAN DISTRICT
District Court (Small Claims Procedure) Rules 1999, Rule 3.
APPLICATION TO SMALL CLAIMS REGISTRAR

CLAIMANT DETAILS

RESPONDENT DETAILS

Name:	Name:
Address:	CRO Number:
	Address:
Telephone No:	Telephone No.
Email Address:	Email Address:

If you do not identify the correct legal name of the Respondent, your claim cannot be enforced

Please Tick as Appropriate

Consumer Claim	<input type="checkbox"/>	Business Claim	<input type="checkbox"/>
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Claim Type

Damage to Property	<input type="checkbox"/>	Goods & Supplies	<input type="checkbox"/>
Services	<input type="checkbox"/>	Key Money	<input type="checkbox"/>

Amount claimed: €

Particulars of Claim:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

I hereby apply to have the claim processed through the Small Claims Procedure in accordance with the provisions of the above mentioned Rules.

To: The Small Claims Registrar
DMD Small Claims Office
Ground Floor Aras Ui Dhalaigh
Inns Quay
Dublin 7

Dated this day of 2024

Telephone : 01 8886854
Email: smallclaimsdmd@courts.ie

Signature of Claimant (s)

PLEASE NOTE THAT THIS APPLICATION MUST BE ACCOMPANIED BY A FEE OF €25 – CHEQUES / POSTAL ORDERS / BANK DRAFTS SHOULD BE MADE PAYABLE TO THE “COURTS SERVICE”