

A **Demand for Arbitration** will be docketed for a hearing when it is completed in full as applicable, accompanied by the information requested within **Enclosures** and submitted per the **Filing Instructions** as itemized below. The claim will be returned if relevant enclosures are omitted. Please remember the preparation and presentation of the case is your responsibility.

## **DEMAND FOR ARBITRATION**

- SECTION 1.** Enter your name, mailing address, applicable telephone numbers and e-mail address. Enter the manufacturer's name and zone office mailing address. The zone office address is available from the manufacturer's customer service 800 number, from the mailing list within the arbitration material forwarded from the Board office by request or from the office at 802-828-2943.
- SECTION 2.** Complete the vehicle description and information sections as applicable.
- SECTION 3.** Choose a refund or replacement vehicle and describe the defect (or defects).
- SECTION 4.** Check all that apply.
- SECTION 5.** Choose one filing method and complete the requested information. Enclose repair orders & summary history.
- SECTION 6.** OPTIONAL – **Use only when necessary.** Enter the person's name with daytime phone number and address (Vermont only) to whom a subpoena is to be issued. Service of the subpoena is your responsibility. Procedural information will be forwarded to you with the subpoena and hearing notice.
- SECTION 7.** Specify requested documents. If claiming 30 days out of service, ask for the technician's time stamps to assist in documenting days out.
- SECTION 8.** Read and complete the certification section. Sign and date the Demand.

## **ENCLOSURES**

**Include a copy, if applicable, of the following documents with the Board's and Manufacturer's Demand copy:**

1. **VEHICLE PURCHASE CONTRACT** - itemizes purchase price, trade-in allowance, rebate, discounts, non-cash credit, options as of the date of purchase & motor vehicle and documentation fees, & usually includes the dealership's business logo.
2. If the vehicle is/was financed: A **WRITTEN STATEMENT** from the financial institution **VERIFYING TOTAL INTEREST PAID** with the collateral identified.
3. **LEASE AGREEMENT** - Also, enter the titleholder's/lease assignee's (not the dealer's) name and address within Section 2 of the Demand.
4. A copy of the **MANUFACTURER'S EXPRESS WARRANTY** for the claimed defect(s)/condition(s). The warranty summary grid is acceptable. Ascertain the claimed condition(s) is not excluded from warranty coverage. Any optional extended warranty is not applicable.
5. **REPAIR ORDERS** including the **FINAL REPAIR ORDER**, which may be sent when completed.
6. **Itemized** documentation of the **INITIAL MOTOR VEHICLE FEES** (registration, title, etc.) paid to the Vermont Department of Motor Vehicles or to the DMV of another state, including purchase and use tax.
7. A copy of the current vehicle registration and insurance certificates. Verification of inspection sticker validity will be made prior to any test-drive.
8. **If your claim is for "3 times out," filing method A:** Submit a repair history summary for the claimed condition(s) and include written confirmation that the condition(s) filed for was present as of the date of filing.
9. **If your claim is for "30 days," filing method B:** Prepare a chronology of **warranted** repair orders with repair order number, dates, mileage and number of days out of service with a repair summary. For a day to be counted, the vehicle must have been unavailable for your use for the major portion of a day (4 hours) by reason of being under the dealer's control for repair.
10. Bills supporting a request for consequential/incidental damages. Justification may be provided in writing or verbally at the hearing.

## **FILING INSTRUCTIONS**

- **Mail the ORIGINAL COPY** with enclosures to: New Motor Vehicle Arbitration Board, 14 Baldwin Street, Montpelier, VT 05602
- **Mail the SECOND COPY** with enclosures to the manufacturer's zone office. Certified mail is recommended.
- **Keep the THIRD COPY** for your records. You should retain enclosure originals.