

TAKING A SMALL CLAIMS ACTION IN THE COUNTY COURT



COMPLETING THE CLAIM FORM (N1)

The N1 Claim form is the document that actually starts the proceedings. The form can be completed [online](#)



Welcome to this guide

The buttons on each page will allow you to choose to look at the parts of the guide that you are interested in. Alternatively you can scroll through each page.

 This symbol means that you will be taken from the document you are viewing to another document within the guide - clicking the  button in the new document will then **not** return you to the last page that you viewed – you will need to return to the guide’s home page to select the part of the guide that you were last viewing.





Claim Form

In the	
	<i>for court use only</i>
Claim No.	
Issue date	

Claimant(s) name(s) and address(es) including postcode

[Redacted]



Defendant(s) name

[Redacted]

Brief details of claim

[Redacted]

Value

[Redacted]

You must indicate your preferred court for hearings here (see notes for guidance)

[Redacted]

Defendant's name and address, including postcode

[Redacted]

	£
Amount claimed	
Court fee	
Solicitor's costs	
Total amount	

[In the...](#)

[Claimant's name and address](#)

[Defendant's name and address](#)

[Details of claim](#)

[Value](#)

[Preferred court](#)

[Amount claimed](#)

[Court fee](#)

[Solicitor's costs](#)

[Defendant's name & address](#)

Click the green buttons for more advice

When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.



Claim No.

Does, or will, your claim include any issues under the Human Rights Act 1998? Yes No

Particulars of Claim (attached)(to follow)

Statement of Truth

*(I believe)(The Claimant believes) that the facts stated in these particulars of claim are true.
* I am duly authorised by the claimant to sign this statement

Full name

Name of claimant's solicitor's firm

signed position or office held

*(Claimant)(Litigation friend)(Claimant's solicitor) (if signing on behalf of firm or company)

**delete as appropriate*

Claimant's or claimant's solicitor's address to which documents or payments should be sent if different from overleaf including (if appropriate) details of DX, fax or e-mail.

[Human Rights Act](#)

[Particulars of Claim](#)

[Statement of Truth](#)

Click the green buttons for more advice

[Issuing the claim and the defendant's response](#)

In the.....

If the claim is for money only and is in the County Court insert 'Northampton County Court'



Claimant's name and address

The **Claimant** is the person starting the claim. Insert your full name and postal address, including postcode.



Defendant's name and address

The **Defendant** is the person, trader, or company being sued.

Is the Defendant:

An individual trading under his own name

An individual trading under another name

A partnership or business that is **not** a limited company

A limited company or a limited liability partnership

A corporation (other than a company)



If the defendant is an individual trading under his own name e.g. John Smith

Insert the full name and address of that individual.

An individual is a person acting as the sole proprietor of a business or a person not in business or trade.



If the Defendant is an individual trading under another name (E.g. Mr John Smith trading as Local Domestic Services)

Insert the full name of the individual followed by the trading name e.g. Mr John Smith trading as Local Domestic Services (followed by the address).



If the Defendant is a partnership or business which is NOT a limited company (E.g. Smith Bros)

Insert the full name of the business followed by the words 'a firm' e.g. 'Smith Bros – a firm'. The address could be the home address of one of the partners or the main or last known business address of the firm.

If the Defendant is a limited company or a limited liability partnership

Insert the full name of the company and an address at which the business is carried on e.g. Local Domestic Services Ltd. (followed by the address).



If the Defendant is a corporation (other than a company)

Insert the full name of the corporation and the address of the main or other place of business that carried on activities that have a connection with the claim.

Brief details of Claim

Insert here a brief statement detailing the problem -
examples are given for the following problems:

[For faulty goods](#)

[For faulty goods
and services](#)

[For faulty services](#)

[For claims under
section 75 Consumer
Credit Act 1974](#)



For faulty goods

Payment of money for Breach of Contract, s14 of the Sale of Goods Act 1979 (as amended) arising from purchase of a washing machine which was faulty on delivery.



For faulty goods and services

Payment of money for Breach of Contract, s13 Supply of Goods and Services 1982 (as amended) arising from building work completed without the necessary level of care and skill.



For faulty services

Payment of money for Breach of Contract, s4 of the Supply of Goods and Services Act 1982 arising from a service not being carried out with reasonable care and skill/within a reasonable time.



For claims under s 75 of the Consumer Credit Act

Payment of money for Breach of contract and/or misrepresentation arising from the purchase of furniture for which the defendant has liability under S.75 of the Consumer Credit Act 1974.



Value of claim

For a fixed sum

If the sum is not fixed



Fixed sum

Provide the details using the following, which relates to a faulty washing machine that leaked and damaged the floor as an example:

- Cost of washing machine £449.00
- Cost of damaged floor £300.00
- Miscellaneous expenses £30.00
(telephone calls/postage)

You may also claim interest at 8% per year from the date of the breach of contract. It should be calculated up to the day on which the claim is issued, and then indicated at a continuing daily rate.

To work out your daily rate of interest use the following calculation:

$0.00022 \times [\text{the amount of your claim}]$

To work out the amount of interest you are owed up to the claim date, use the following calculation:

$[\text{number of days passed}] \times [\text{your daily rate of interest}]$

You can then add this amount to the amount that you are claiming.



If the sum is not fixed

For example, if you are claiming compensation for loss of the enjoyment of a holiday, then you should insert:
"I expect to recover not more than £10,000"



Preferred Court

Small Claims for money have to be dealt with initially by Northampton County Court. If attendance at court is required the court **will transfer the case to make it easier for all of the parties to attend**. A list of County Courts can be found at www.hmctscourtfinder.justice.gov.uk



Defendant's name and address

Insert the title, full names, address and postcode of the Defendant receiving the claim form (one claim form for each Defendant).



Amount claimed

This is the same as the value of your claim.



Court fee

This will depend on whether you are issuing the claim in court or using [Money Claim On-Line](#). Money Claim On-Line is Her Majesty's Courts Service's Internet based service for claimants and defendants. You pay a reduced court fee if you issue your claim using this method. For more information ask the court staff or see the [guidance](#).

Sum being claimed	Claimed in a court	Money Claim Online
Does not exceed £300	£35	£25
Exceeds £300 but does not exceed £500	£50	£35
Exceeds £500 but does not exceed £1000	£70	£60
Exceeds £1,000 but does not exceed £1500	£80	£70
Exceeds £1500 but does not exceed £3000	£95	£80
Exceeds £3000 but does not exceed £5,000	£120	£100
Exceeds £5000 but does not Exceed £10,000	£245	£210



Solicitor's costs

Solicitor's costs are not allowed in the small claims court.



Human Rights Act

For a money claim in the Small Claims Court, tick 'No'.



Particulars of Claim

Insert:

- A concise statement of your claim: a list of the relevant facts in the order that they happened, starting with the date on which the contract was made and ending with the current circumstances.
- If you are claiming interest, the following statement:
'The claimant claims interest under section 69 of the County Courts Act 1984 at the rate of [8]% a year from [date when the money became owed to you] to [date you are issuing the claim] of £[amount] and also interest at the same rate up to the date of judgment or earlier payment at a daily rate of [daily rate of interest].'
- If you are claiming aggravated damages or exemplary damages, a statement to that effect. Claims for such damages are not usual in consumer cases in the Small Claims Court.
- Attach a copy of your contract or written agreement.
- Where a claim is based upon an oral agreement, the contractual words used and by whom, to whom, when and where they were spoken.
- Where a claim is based upon an agreement by conduct, the conduct relied on and state by whom, when and where the acts constituting the conduct were done.

You must specifically set out the following matters in your particulars of claim if you want to rely on them in support of your claim:

1. Any allegation of fraud
2. The fact of any illegality
3. Details of any misrepresentation
4. Details of all breaches of trust
5. Notice or knowledge of a fact
6. Details of unsoundness of mind or undue influence
7. Details of wilful default
8. Any facts relating to mitigation of loss or damage.



Statement of Truth

This needs to be signed by you



Claimant's name and address

Insert your full name and address including postcode.

