# **Sample points of claim**

The following is an example points of claim for a case about a goods and services dispute. This is also known as a ‘particulars of claim’.

## Points of claim

1. On 1 January 2022, the respondent sold a \* car to the applicant for [$ price].
2. Prior to the sale/at the time of sale, the respondent agreed with the applicant that the car had a roadworthy certificate.
3. That agreement was:
   1. made in a discussion between [person A] and [person R] at the [address] / in a phone call / on [date]; and
   2. in that discussion [Person R] said “ …………………….…………………..”.

**Or**That agreement was:

1. contained in a document signed by [Person A] and [Person R] dated 1 January 2022.
2. Page # / clause # of the document stated that the car had a current roadworthy certificate.

**Or**

1. That agreement was contained in an email/text from [person R] to [person A] on [date/time]
2. On [date] the car broke down.
3. On [date] the applicant then first learnt that the car did not have a current roadworthy certificate at the time of sale.
4. The applicant requests VCAT to make an order that the respondent:
   1. pay the applicant $2,500 for the expenses the applicant has incurred to bring the car to a roadworthy condition.
   2. Those expenses include the cost of the following:

Item # date of expense $ [cost]

Item # date of expense $ [cost]

Item # date of expense $ [cost]