



# Canadian Motor Vehicle Arbitration Plan

1-800-207-0685

www.camvap.ca

## Prepare Your Case

The arbitrator will make a decision based on the evidence and testimony presented by you and the manufacturer. You must convince the Arbitrator that you are entitled to the outcome or remedies that you want and overall that your case is more persuasive than the manufacturer's.

- Suggestions to organize your case**  
(*may vary according to case*):
  - What "current defect" does your vehicle exhibit?
  - When did the problem first occur?
  - Who did you speak to and when?
  - Were any repairs completed, and when?
  - Has the problem re-occurred? If so, when?
  - How did the dealer and manufacturer respond?
  - What facts and technical points show that there is a defect or warranty problem?
  - What justifies the remedy that you want?
  - Determine how witnesses may help you prove your case.
  - Do you need to subpoena any witnesses?
- Organize your evidence, plan your presentation**  
(*may vary according to case*):
  - Your testimony
  - Your witnesses' testimony
  - Any expert witnesses' testimony/report
  - Used parts or other physical evidence
  - Documents such as,
    - retail sales contracts, lease agreements
    - work orders, receipts, bills
    - any correspondence between you and the dealer/manufacturer
    - vehicle registration
    - warranty booklet
- Review the manufacturer's response and be prepared to challenge it.**
  - Write down any questions you may have for the manufacturer or its witnesses
- If you are requesting a buyback, complete the buyback calculation form.**

## At The Hearing

*Be prepared to be organized, persuasive, courteous and present all evidence. Your hearing may be held by teleconference or in person.*

- Bring the vehicle**
  - Your vehicle may be inspected
  - If inoperable, contact the Provincial Administrator well in advance of the hearing
  - Bring proof of insurance and vehicle ownership
- Bring the documents you plan to present at the hearing (previously sent to the Provincial Administrator)**
- What to expect at the hearing**

*You must present a convincing case to the Arbitrator*

  - You will be asked to take an oath or affirm to tell the truth
  - Be prepared to present your case
  - Be prepared to outline the remedy you are seeking
  - Be prepared for the manufacturer to cross-examine you and your witnesses
  - Be prepared to listen to the manufacturer's case closely
  - Be prepared to question the manufacturer's representative and its witnesses
  - Be prepared for a test drive or viewing of your vehicle
  - Be prepared to answer questions from the Arbitrator
- The Arbitrator may order an independent inspection of your vehicle.**
  - If an inspection is ordered, the Provincial Administrator will contact you to arrange the time and place
  - Both you and the manufacturer may be present
  - You and the manufacturer will be given an opportunity to comment in writing on the Inspector's report
- The Arbitrator will consider the evidence presented by you and the manufacturer and issue a written award.**

**For detailed information refer to pages 12-18 of "Getting Ready for CAMVAP"**