

PROCEDURE

Compensation is a financial protection mechanism for the benefit of consumers. Under certain circumstances, the Office de la protection du consommateur can provide you with such compensation.

Compensation is made possible through a security merchants must provide to the Office in order to be issued or maintain a permit or licence. This security provides you with better protection should the merchant fail to abide by its obligations.

Form

This form has been made available to you: You can:

- fill out the form on screen, and then print and sign it; or
- print out the form, fill it out legibly by hand and sign it.

Documents to enclose with the form

In order for your claim to be accepted, you must show that the merchant failed to abide by its obligations. You may enclose the documents indicated in this form with your claim. In certain cases, certified or original copies may be required. It is important that you keep a copy of your documents.

Processing times

You will receive an acknowledgment of receipt within 30 days.

Please plan for 7 to 8 months for your claim to be processed as of the date the file of the merchant in question has been posted. Once a compensation file has been posted, it remains open for 6 months. The consumers concerned may file a claim during that period. After 6 months, the file is closed and the amount of compensation you will receive is determined, in consideration of all of the claims received.

If the merchant's file remains posted on the Office website after 6 months, this means that funds are still available and that a claim for compensation may still be filed.

Amount paid

If the total amount of the eligible claims exceeds the amounts that are available, compensation will be allocated on a pro rata basis. The compensation amount you will receive may therefore be lower than the amount to which you are eligible.

Conditions

You may be compensated directly from the security the Office holds on behalf of the merchant in either of the following situations:

- you have obtained a judgment against a merchant that holds a permit or licence, its representative or the security; or
- you have entered into an agreement or a transaction with a merchant that holds a permit or licence, its representative or the security.

The merchant must have held a permit or licence associated with a security provided to the Office when you did business with that merchant.

Claim filed with the Régie du Bâtiment

If the merchant is a construction contractor, it should hold a licence from the Régie du bâtiment du Québec (RBQ) and have provided the required security. The security paid to the RBQ could be used to compensate you. The Office will complete the necessary procedures; you do not have to file a claim with the RBQ.

Other compensation options

If your claim for compensation is denied in full or in part, you may have other recourse options. For more information, refer to the page titled [Other possibilities for compensation](#).

Before filling out this form, check whether a compensation file in the name of the merchant concerned has been opened. To do so, go to the compensation section of the website of the Office de la protection du consommateur:

<https://www.opc.gouv.qc.ca/en/consumer/indemnisation/>. If there is no such file, contact the Office, and an officer will explain the procedure to follow.

1. Information about the merchant

Name: _____

Address (No., Street, Apt.): _____

Municipality: _____

Postal Code: _____ Province: _____

2. Information about the consumer

Name: _____

Address (No., Street, Apt.): _____

Municipality: _____

Postal Code: _____ Province: _____

Email address: _____

Telephone (home): _____ Telephone (cell): _____

3. Documents to provide

The following documents may be enclosed with your claim:

Check
(if enclosed)

- the signed contract entered into with the merchant; ☐
- proof of purchase (e.g. invoice, purchase order, etc.) or payment (e.g. copy of both sides of a cheque, copy of a credit card receipt or statement, etc.); ☐
- if repairs are required, the invoice for the repairs already made or two bids for the repairs to be made; ☐
- a judgment rendered against the merchant or its representative, if applicable; ☐
- the agreement entered into with the merchant, if applicable; ☐
- any other document you may deem relevant. ☐

4. Information about the contract

Date of contract signature: _____

Goods or services specified in the contract: _____

Goods or services received: _____

Total dollar amount of the contract: _____

Amount paid to the merchant: _____

Where was the contract entered into? Check the box that best describes your situation.

- ☐ Your home – the merchant arrived unannounced.
- ☐ Your home – at your invitation.
- ☐ Your home – the merchant arrived after asking your permission over the telephone.
- ☐ A temporary booth, inside or outside a shopping centre, for example.
- ☐ The merchant's place of business or a department store.
- ☐ Other (please specify): _____

5. Justification

Briefly explain what justifies your claim, e.g. you have not received, either in part or in whole, the services for which you have paid; the merchant's warranty was not honoured, etc.

Please enclose another sheet if more space is required.

6. Reimbursement by a third party

Have you filed a claim for reimbursement with a third party (such as your insurer or credit card issuer) for the situation that is the subject of this claim for compensation?

- ☐ Yes ☐ No

If Yes, have you received a reimbursement?

- ☐ Yes, please specify the amount: _____
- ☐ No

7. Signature

Consumer's signature

Date

8. Sending the claim for compensation

Please submit your duly completed and signed form, as well as the supporting documents, by mail or online, through our Secure Document Submission service.

Online:

pes.opc.gouv.qc.ca/indemnisation?lang=en

By mail:

Office de la protection du consommateur
Direction des permis et de l'indemnisation
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