Guarantor Reimbursement Schedule Separating Paid Debt From Extra Damages

Educational sample 424 | Eldoret

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE SMALL CLAIMS COURT AT ELDORET

SMALL CLAIMS COMMERCIAL CASE NO [reference]

[GUARANTOR CLAIMANT] v [BORROWER RESPONDENT]

EVIDENCE OR COMPUTATION SCHEDULE

1. This schedule reconciles the guarantor actual payments toward facility [reference] and the borrower reimbursements received. It is an accounting aid to the prescribed claim, response or hearing bundle, not proof of every entry by itself.

2. PART A: for each lender recovery enter date, payroll or account reference, gross deduction, portion allocated to this guaranteed facility and authentic supporting page. Identify the lender or payroll custodian. Keep deductions on another facility or the guarantor own debt outside the recoverable total.

3. PART B: total the verified amounts paid for the borrower. The source proved KES 224,000. Use the actual account total for the present case; the source figure does not establish what this guarantor paid or when payment occurred.

4. PART C: list every borrower refund, third-party payment and other actual credit with date, reference and allocation. Subtract genuine credits once. A promise of future repayment is recorded as correspondence, not a reduction already received.

5. PART D: list any separately claimed damages with the pleaded legal basis, amount and proof. The source KES 100,000 additional claim failed. Record costs and interest under the actual court order separately; the source supplies no rate to apply automatically.

6. The net reimbursement at [cut-off date] is [paid amount minus verified credits]. Label disputed entries and absent records. Do not build a service or hearing chronology from the source inconsistent dates; use the authentic actual file and payment documents.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

This is an evidential or accounting aid, not an originating process or independent proof. Give dates, authors or custodians, admissibility status, actual document pages and transparent calculations. Label missing and disputed items. Obtain the applicable leave or directions for supplementary evidence, serve it and prevent duplicate credits or recovery.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

A SACCO member sought KES 224,000 paid after a borrower defaulted, plus KES 100,000 damages. SACCO statements and notification supported the payment. The borrower admitted the amount but characterised it as a personal loan and relied on lost employment and another debt. The reproduction contains hearing and service dates later than its stated judgment date.

Eldoret Small Claims Court held reimbursement proved, rejected the additional KES 100,000 damages, and allowed KES 1,800 costs plus interest. The ruling mentions a thirty-day stay. The internally inconsistent chronology is not reconstructed as fact, and no interest rate is invented.

Distinguish the guarantor personal reimbursement claim from the SACCO loan balance and from a trade-security injunction. Use the prescribed Small Claims forms and actual service record. Credit repayments and identify the exact guaranteed facility. Financial hardship did not extinguish the source obligation; extra damages required a separately pleaded and proved basis.

[2026] SCC 204 (KLR) - 7 July 2026. Source decision: https://sheriahub.com/cases/ke/caselaw/victoria-v-bii-2026-scc-204-klr

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/victoria-v-bii-2026-scc-204-klr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.