Guarantor Witness Statement Identifying the Facility and Payroll Recoveries

Educational sample 423 | 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]

WITNESS STATEMENT

1. I am [guarantor]. I was a member of [SACCO] and guaranteed the respondent facility identified at [reference]. I describe the guarantee I actually signed and distinguish other loans or guarantees between us. This specimen removes membership, account and personal identifiers.

2. I learned of the respondent default through [actual notification or communication]. The SACCO notice and statements I received are at [bundle pages]. Where I rely on the lender allocation of a deduction, I identify the statement or custodian explaining it.

3. The deductions I personally experienced totalled KES 224,000 in the source scenario. For the actual case I identify each verified payroll or account entry at [schedule]. I do not include an unpaid prospective amount or the balance of my own separate loan as if paid on the respondent behalf.

4. I contacted the respondent at [verified dates]. The actual responses, including any acknowledgment of the amount and explanation of difficulty, are reproduced accurately in the genuine communications. My recollection is distinguished from the document wording.

5. Any reimbursement I received is credited at [payment references]. I state the net amount still sought and explain disputed allocations. I do not treat failure to pay as proof of a separate compensable injury or invent a medical, business or retirement loss.

6. I identify the original guarantee, notices and statements through the appropriate hearing procedure. The source judgment granted reimbursement and rejected the additional damages. This statement is a newly drafted account for truthful completion, with no exhibits, signature or sworn status supplied.

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

Use the witness own truthful account, distinguish observed events from named information sources and identify bundle pages and authenticating witnesses. Follow the actual trial or succession witness directions. Additional evidence and statements require any applicable leave. An appeal ordinarily uses the admitted trial record; a new statement cannot be inserted without the proper procedure.

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.