

12:20:01:04. Contents of request for mediation. The request for mediation must contain the following information:

(1) If filed by a creditor:

(a) The name, address, and telephone number of the creditor and the creditor's representative for service of notices;

(b) If possible, the names and positions of the creditor's representatives who plan to attend the mediation proceedings;

(c) The name, address, and telephone number of the debtor;

(d) The stated location of the real estate and location of chattel property or other collateral. If the debtor's property is under the control of a third party, the creditor shall list the same information, if available, for the third party;

(e) An affidavit that the creditor meets the qualification of a creditor as defined in SDCL 54-13-1;

(2) If filed by a borrower:

(a) The name, address, and telephone number of the borrower;

(b) If possible, the name, address, and telephone number of each person who will accompany the borrower to the mediation proceedings;

(c) The name, address, and telephone number of the creditor or creditors;

(d) The location of the real estate and the location of chattel property or other collateral listed by creditor. If the property is under the control of a third party or parties, the name, address, and telephone number of each party shall be provided.

Source: 15 SDR 20, effective August 7, 1988.

General Authority: SDCL 54-13-2.

Law Implemented: SDCL 54-13-2.