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| *ONTARIO* | | | | | | | | | | | |  | | | | | | | | | | | | | | | |
| Cour supérieure de justice | | | | | | | | | | | | Affidavit de défaut de paiement | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | Formule 20M Règl. de l’Ont. : 258/98 | | | | | | | | | | | | | | | | |
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| Cour des petites créances de | | | | | | | | | | | | | |  | | N° de la demande |
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| Adresse | | | | | | | | | | | | | |  | |
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| **ENTRE** | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Demandeur(s)/demanderesse(s)/Créancier(s)/créancière(s) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **et** | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Défendeur(s)/défenderesse(s)/Débiteur(s)/débitrice(s) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **Je m’appelle** | | | | | | | |  | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | (Nom et prénoms) | | | | | | | | | | | | | | | | | | | |
| **J’habite à** | | | |  | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | (Municipalité et province) | | | | | | | | | | | | | | | | | | | | | | | |
| **et je déclare sous serment/j’affirme solennellement que les renseignements suivants sont véridiques :** | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **1.** | Dans la présente action, je suis le/la | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *(Cochez une seule case*.*)* | |  | | | demandeur/demanderesse/créancier/créancière. | | | | | | | | | | | | | | | | | | | | | | |
|  | | | représentant(e) du/de la/des demandeur(s)/demanderesse(s) ou du/de la/des créancier(s)/créancière(s) | | | | | | | | | | | | | | | | | |  | | | | |
|  | | |  | | | | | | | | | | | | | | | | | | (Nom du/de la/des demandeur(s)/demanderesse(s) ou du/de la/des créancier(s)/créancière(s)) | | | | |
| **2.** | À ce jour, j’ai reçu du ou des défendeurs/débiteurs | | | | | | | | | | | | | | | |  | | | | | | | | | $, soit le dernier paiement ayant | |
|  |  | | | | | | | | | | | | | | | | (Montant) | | | | | | | | |  | |
|  | été effectué le ou vers le | | | | | | | | |  | | | | | 20 | | |  | | . | | | | | | | |
| **3.** | Je fais le présent affidavit à l’appui d’une demande visant à : | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *(Cochez la case appropriée et remplissez le point*.*)* | | |  | | | | enjoindre au greffier du tribunal de rendre un jugement par défaut (formule 11B) [alinéa 9.03 (2) c)]. Le ou les défendeurs | | | | | | | | | | | | | | | | | | | | |
|  | | | |  | | | | | | | | | | | | | | | | | | | | |
|  | | | | (Nom du/de la/des défendeur(s)/défenderesse(s)) | | | | | | | | | | | | | | | | | | | | |
|  | | | | n’ont pas effectué les paiements conformément aux modalités de paiement proposées dans la défense | | | | | | | | | | | | | | | | | | | | |
|  | | | | (formule 9A) datée du | | | | | |  | | | | | | | | 20 |  | | et quinze (15) jours se sont écoulés | | | |
|  | | | | depuis la signification de l’avis de défaut de paiement au défendeur (formule 20L) à l’adresse (aux adresses) suivante(s) : | | | | | | | | | | | | | | | | | | | | |
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|  | | | | (Adresse(s) du/de la/des défendeur(s)/défenderesse(s)) | | | | | | | | | | | | | | | | | | | | |
|  | | | enjoindre au greffier du tribunal de rendre un jugement par défaut (formule 11B) [par. 9.03 (7)]. Le ou les défendeurs | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | | | | | | | | | | | |
|  | | | (Nom du/de la/des défendeur(s)/défenderesse(s)) | | | | | | | | | | | | | | | | | | | | | |
|  | | | n’ont pas effectué les paiements conformément à l’ordonnance relative aux modalités de paiement | | | | | | | | | | | | | | | | | | | | | |
|  | | | datée du | | |  | | | | | 20 | |  | | | . | | | | | | | | |
| Court forms are available in English and French at [www.ontariocourtforms.on.ca](http://www.ontariocourtforms.on.ca). Visit this site for information about accessible formats. | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| FORMULE 20M | | | | | | | | | | | | | | **PAGE 2** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | | | | | | | |
|  | | | | | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | N° de la demande | | | | | | | | | | |
| *(Cochez la case appropriée et remplissez le point*.*)* | | | | |  | | | m’autoriser à exécuter le jugement [par. 20.02 (3)]. Le ou les débiteurs | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | (Nom du/de la/des débiteur(s)/débitrice(s)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | n’ont pas effectué les paiements conformément à l’ordonnance prescrivant des versements périodiques datée du | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | | | | 20 | | | | |  | | | et quinze (15) jours se sont écoulés depuis la signification de | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | l’avis de défaut de paiement (formule 20L) au ou aux débiteurs à l’adresse (aux adresses) suivante(s) : | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | | | (Adresse(s) du/de la/des débiteur(s)/débitrice(s)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | Un consentement (formule 13B) dans lequel le créancier renonce à la constatation du défaut n’a pas été déposé. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **4.** | Le solde impayé est calculé de la façon suivante : | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (A) | | | **LA CRÉANCE** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | |  | | | **$** |
| (B) | | | **LES INTÉRÊTS ANTÉRIEURS AU JUGEMENT** calculés | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | sur la somme de | | | | | | | | |  | | | | | | | | | | | $ au taux de | | | | | | | | | |  | | | | | | | | pour cent | | | | | | | | | | | | | | | | | | | |
|  | | | par an du | | | | | |  | | | | | | | | | | | 20 | | | | |  | | | | au | |  | | | | | | | | | | | | | | | 20 | |  | | | | , | | | | | | | | |
|  | | | soit | | | |  | | | | | | | | | | jours. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | |  | | | $ |
|  | | |  | | | |  | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | |  | | |  |
|  | | | **REMARQUE :** | | | | | | | | Les intérêts doivent toujours être calculés sur la somme due. Le calcul doit tenir compte des paiements reçus de temps à autre. Ceci s’applique autant aux intérêts antérieurs au jugement qu’aux intérêts postérieurs au jugement. Annexez une feuille distincte indiquant comment vous avez calculé le montant total des intérêts antérieurs et postérieurs au jugement. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | | |
|  | | | **TOTAL PARTIEL** (montant du jugement) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | **$** |
| (C) | | | **LES DÉPENS** à la date du jugement | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |  | | | $ |
| (D) | | | **LE MONTANT TOTAL DES PAIEMENTS REÇUS DU DÉBITEUR** après le jugement (le cas échéant) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | (moins) | | | | | | | | | | | | |  | | | $ |
| (E) | | | **LES INTÉRÊTS POSTÉRIEURS AU JUGEMENT** à ce jour, calculés | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | sur la somme de | | | | | | | | | |  | | | | | | | | $ | | | | | au taux de | | | | | |  | | | | | | | | pour cent | | | | | | | | | | | | | | | | | | | | |
|  | | | par an du | | | | | | |  | | | | | | | | | 20 | | | | |  | | | | au | | |  | | | | | | | | | | | | | | 20 | |  | | | | , | | | | | | | | | |
|  | | | soit | | |  | | | | | | | | | | | | jours. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |  | | | $ |
| (F) | | | **LES DÉPENS SUBSÉQUENTS** engagés après le jugement (y compris le coût de signification de l’avis de défaut de paiement (formule 20L)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | |  | | | $ |
|  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **SOLDE DÛ** | | | | | | | | | | | | | | | |  | | | |  | | | **$** |
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| Déclaré sous serment/Affirmé solennellement devant moi (Sélectionnez la réponse qui convient): | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | en personne | | | | | | | | | | | | |  | | par vidéoconférence | | |
| À remplir si le serment est prêté ou la déclaration reçue en personne : | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| à/dans | | | |  | | | | | | | | | | | de |  | | | | | | | | | | | | | | | | | | | | | | | | | | , dans le(la) | | | | | | |  | | | | | | | | | | | |
|  | | | | (ville, etc.) | | | | | | | | | | |  |  | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | | | | (comté, municipalité régionale, etc.) | | | | | | | | | | | |
| de | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | , le | |  | | | | | | | | | | | | | | | | | | | | | . | |
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| Signature du commissaire (ou de la personne autorisée) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | Signature du déposant | | | | | | | | | | | | | | | | | | | | | | | | | |

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| **FORMULE 20M** | | | | **PAGE 3** | | | | | | | | | | | |  | | | |
|  | | | |  | | | | | | | | | | | | N° de la demande | | | |
| **Utiliser l’une des options suivantes si l’affidavit est déclaré  sous serment ou affirmé solennellement par vidéoconférence** | | | | | | | | | | | | | | | | | | | |
| À remplir si le déposant et le commissaire se trouvent dans la même ville : | | | | | | | | | | | | | | | | | | | |
| par | |  | | | | | | | | à/dans | |  | | | | | | | |
|  | | (nom du déposant) | | | | | | | |  | | (ville, etc.) | | | | | | | |
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|  |  | | | | | | |  | | | (comté, municipalité régionale, etc.) | | | | | | | | |
| de |  | | | | | | | , devant moi, le | | | | | |  | | | | | |
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| conformément au [Règl, de l’Ont. 431/20](https://www.ontario.ca/fr/lois/reglement/200431) (Prestation des serments ou réception des déclarations à distance). | | | | | | | | | | | | | | | | | | | |
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| Commissaire aux affidavits (ou la personne autorisée) | | | | | | | | | | | | | | | | | | | |
|  | | | | |  | |  | | | | | | | | | | | | |
| Signature du commissaire (ou de la personne autorisée) | | | | |  | | Signature du déposant | | | | | | | | | | | | |
| À remplir si le déposant et le commissaire ne se trouvent pas dans la même ville : | | | | | | | | | | | | | | | | | | | |
| par | |  | | | | | | | | à/dans | | |  | | | | | | |
|  | | (nom du déposant) | | | | | | | |  | | | (ville, etc.) | | | | | | |
| de |  | | | | | | | dans le(la) | | |  | | | | | | | | |
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| de |  | | | | | | | , devant moi, à/dans | | | | | | |  | | | | |
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|  | | | | | | | |  | (date) | | | | | | | | |  | |
| au [Règl, de l’Ont. 431/20](https://www.ontario.ca/fr/lois/reglement/200431) (Prestation des serments ou réception des déclarations à distance). | | | | | | | | | | | | | | | | |  | | |
| Commissaire aux affidavits (ou la personne autorisée) | | | | | | | | | | | | | | | | | | | |
|  | | | | |  | |  | | | | | | | | | | | | |
| Signature du commissaire (ou de la personne autorisée) | | | | |  | | Signature du déposant | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | |
| **AVERTISSEMENT :** | | | **FAIRE SCIEMMENT UN FAUX AFFIDAVIT CONSTITUE UNE INFRACTION AU CODE CRIMINEL.** | | | | | | | | | | | | | | | |