|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *ONTARIO* | | | | | | | |  | | | | | | |
| **Superior Court of Justice** | | | | | | | | | Affidavit for Enforcement Request | | | | | |
|  | | | | | | | | Form 20P Ont. Reg. No*.*: 258/98 | | | | | | |
|  | | | | | | | |  | | | |  |  | |
| Small Claims Court | | | |  | Claim No. | |
|  | | | |  |  | |
|  |  | |
| Address | | | |  |
|  | | | |  |
|  | | | | | | | | Phone number | | | |  |
| **BETWEEN** | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| Plaintiff(s)/Creditor(s) | | | | | | | | | | | | | | |
| **and / *et*** | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| Defendant(s)/Debtor(s) | | | | | | | | | | | | | | |
| **My name is** | | | | |  | | | | | | | | | |
|  | | | | | (Full name) | | | | | | | | | |
| **I live in** | | | |  | | | | | | | | | | |
|  | | | | (Municipality & province) | | | | | | | | | | |
| **and I swear/affirm that the following is true:** | | | | | | | | | | | | | | |
| **1.** | **In this action, I am the** | | | | | | | | | | | | | |
|  | (Check one box only.) | | | | |  | plaintiff/creditor. | | | | | | | |
|  | representative of the plaintiff(s)/creditor(s). | | | | | | | |
|  | **I make this affidavit in support of a request that the clerk of the court issue the following enforcement process(es):** | | | | | | | | | | | | | |
|  |  | | Certificate of Judgment (Form 20A) to the clerk of the | | | | | | |  | | | | |
|  |  | |  | | | | | | | (Name of court where the judgment is to be filed) | | | | |
|  | | | Small Claims Court. | | | | | | | | | | | |
|  | |  | Writ of Seizure and Sale of Personal Property (Form 20C) directed to the bailiff of | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | Small Claims Court. |
|  | | | (Name of court location) | | | | | | | | | | |  |
|  | |  | Writ of Seizure and Sale of Land (Form 20D) directed to the sheriff of | | | | | | | |  | | | |
|  | | |  | | | | | | | | (Name of county/region in which the enforcement office is located) | | | |
| Les formules des tribunaux sont affichées en anglais et en français sur le site [www.ontariocourtforms.on.ca](http://www.ontariocourtforms.on.ca/). Visitez ce site pour des renseignements sur des formats accessibles. | | | | | | | | | | | | | | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **FORM 20P** | | | | | | | | **PAGE 2** | | | | | | | | |  | |
|  | | | | | | | |  | | | | | | | | | Claim No. | |
|  | |  | Notice of Garnishment (Form 20E)/Notice of Renewal of Garnishment (Form 20E.1). | | | | | | | | | | | | | | | |
|  | | | I believe that the garnishee | | | | | | |  | | | | | | | | |
|  | | |  | | | | | | | (Name of garnishee) | | | | | | | | |
|  | | | at | | | |  | | | | | | | | | | | |
|  | | |  | | | | (Address of garnishee) | | | | | | | | | | | |
|  | | | is indebted to the debtor or will become indebted to the debtor for the following reasons: | | | | | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | | | | | |
|  | | | The Notice will be served on the debtor | | | | | | | | | | |  | | | | |
|  | | |  | | | | | | | | | | | (Name of debtor) | | | | |
|  | | | at | |  | | | | | | | | | | | | | |
|  | | |  | | | (Address of debtor for service) | | | | | | | | | | | | |
|  | | | within five days of serving it on the garnishee. | | | | | | | | | | | | | | | |
|  | |  | Notice of Examination (Form 20H). | | | | | | | | | | | | | | | |
|  | |  | Writ of Delivery (Form 20B). | | | | | | | | | | | | | | | |
|  | |  | Other *(Set out the nature of your request):* | | | | | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | | | | | |
| **Complete this section if you are requesting a Writ of Delivery.** | | | | | | | | | | | | | | | | | | |
| **2.** | An order for the delivery of the following personal property: | | | | | | | | | | | | | | | | | |
|  | *(According to the court order, set out a description of the property to be delivered. Identify any marks or serial numbers.)* | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | |
|  | was made in this action against: | | | | | | | | | | |  | | | | | | |
|  |  | | | | | | | | | | | (Name of person against whom the order was made) | | | | | | |
|  | on | | |  | | | | | , 20 | |  | | , in the | |  | | | |
|  |  | | | | | | | | | | | |  | | | (Name of court location where order was made) | | |
|  | Small Claims Court. Since the above listed personal property has not been delivered, I make this affidavit in support of a request that the clerk of the court issue a Writ of Delivery (Form 20B) to the bailiff of the | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | Small Claims Court. |
|  | (Name of court location) | | | | | | | | | | | | | | | | |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **FORM 20P** | | | | | | | | | | **PAGE 3** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | |
|  | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Claim No. | | | | |
| **Complete this section if you are requesting a Certificate of Judgment, Writ of Seizure and Sale of Personal Property, Writ of Seizure and Sale of Land, Notice of Garnishment, Notice of Renewal of Garnishment or Notice of Examination.** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **3.** | A judgment was made in this action against | | | | | | | | | | | | | | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | | | | | | | (Name of debtor(s)) | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | on | | |  | | | | | | | , 20 | | |  | in the | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | | | | | (Name of court where judgment was made) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | Small Claims Court for the following sums: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | (A) | | | | **DEBT** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | $ |  | |  |
|  | (B) | | | | **PRE-JUDGMENT INTEREST** calculated | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | | | | on the sum of $ | | |  | | | | | | | | | | | | at the rate of | | | | | | | | | | |  | | | | | | | | % | | | | | | | | | | | |
|  |  | | | | per annum from | | | |  | | | | | | | | | , 20 | | | | | |  | to | |  | | | | | | | | | | | | | | | , 20 |  | | , | | | | | |
|  |  | | | | being |  | | | | | | | | | | | | | days. | | | | | | | | | |  | | | | | | | | | | | | | | | | | | $ |  | |  |
|  |  | | | | **SUBTOTAL (Amount of Judgment)** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **$** |  | |  |
|  | (C) | | | | **COSTS** to date of judgment | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | $ |  | |  |
|  | (D) | | | | **TOTAL AMOUNT OF PAYMENTS RECEIVED FROM DEBTOR**  after judgment (if any) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | (minus) | | | | | | $ |  | |  |
|  | (E) | | | | **POST-JUDGMENT INTEREST** to datecalculated | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | | | | on the sum of $ | | |  | | | | | | | | | | | |  | | | at the rate of | | | | | | | | | |  | | | | | | | % | | | | | | | | | | |
|  |  | | | | per annum from | | | |  | | | | | | | | | , 20 | | | | | |  | | to | |  | | | | | | | | | | | | | | , 20 |  | | , | | | | | |
|  |  | | | | being | |  | | | | | | | | | days. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | $ |  | |  |
|  |  | | | |  | |  | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |  | |  |
|  |  | | | | **NOTE:** Calculation of interest is always on the amount owing from time to time as payments are received. This is true for both pre-judgment and post-judgment interest. Attach a separate sheet setting out how you calculated the total amount of any pre/post-judgment interest. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |  | |  |
|  | (F) | | | | **SUBSEQUENT COSTS** incurred after judgment (including the cost of issuing the requested enforcement(s)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | $ |  | |  |
|  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | **TOTAL DUE** | | | | | | | | | | | **$** |  | |  |
|  | | | | | | | | | | |  |  | |  |
| Sworn/Affirmed before me (select one): | | | | | | | | | | | | | | | | |  | | | | in person **OR** | | | | | | | | | | | | |  | | | by video conference | | | | | | | | | | | | | | |
| Complete if affidavit is being sworn or affirmed in person: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| at the | | |  | | | | | | | | | of |  | | | | | | | | | | | | | | | | | | | | | | | | | , in the | | | | | |  | | | | | | | |
|  | | | (city, town, etc.) | | | | | | | | |  |  | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | | | (County, Regional Municipality, etc.) | | | | | | | |
| of | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | , on | | | | |  | | | | | | | | | | | | | | . | | |
|  | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | | (date) | | | | | | | | | | | | | |  | | |
|  | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | |  | | | | | | | | | | | | | | | | | | | |
| Signature of Commissioner (or as may be) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | | | Signature of Deponent | | | | | | | | | | | | | | | | | | | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **FORM 20P** | | | | **PAGE 4** | | | | | | | | | | | |  | | |
|  | | | |  | | | | | | | | | | | | Claim No. | | |
| **Use one of the following if affidavit is being sworn or affirmed by video conference:** | | | | | | | | | | | | | | | | | | |
| Complete if deponent and commissioner are in same city or town: | | | | | | | | | | | | | | | | | | |
| by | |  | | | | | | | | | at the |  | | | | | | |
|  | | (deponent’s name) | | | | | | | | |  | (city, town, etc.) | | | | | | |
| of |  | | | | | | in the | | |  | | | | | | | | |
|  |  | | | | | |  | | | (County, Regional Municipality, etc.) | | | | | | | | |
| of |  | | | | | | , before me on | | | | | |  | | | | | |
|  |  | | | | | |  | | | | | | (date) | | | | | |
| in accordance with [O. Reg. 431/20](https://www.ontario.ca/laws/regulation/r20431), Administering Oath or Declaration Remotely. | | | | | | | | | | | | | | |  | | | |
| Commissioner for Taking Affidavits (or as may be) | | | | | | | | | | | | | | | | | | |
|  | | | | |  |  | | | | | | | | | | | | |
| Signature of Commissioner (or as may be) | | | | |  | Signature of Deponent | | | | | | | | | | | | |
| Complete if deponent and commissioner are not in same city or town: | | | | | | | | | | | | | | | | | | |
| by | |  | | | | | | | | | at the |  | | | | | | |
|  | | (deponent’s name) | | | | | | | | |  | (city, town, etc.) | | | | | | |
| of |  | | | | | | in the | | |  | | | | | | | | |
|  |  | | | | | |  | | | (County, Regional Municipality, etc.) | | | | | | | | |
| of |  | | | | | | , before me at the | | | | | | |  | | | | |
|  |  | | | | | |  | | | | | | | (city, town, etc.) | | | | |
| of |  | | | | | | in the | | |  | | | | | | | | |
|  |  | | | | | |  | | | (County, Regional Municipality, etc.) | | | | | | | | |
| of |  | | | | | | , on |  | | | | | | | | | in accordance | |
|  | | | | | | |  | (date) | | | | | | | | |  | |
| with [O. Reg. 431/20](https://www.ontario.ca/laws/regulation/r20431), Administering Oath or Declaration Remotely. | | | | | | | | |  | | | | | | | | |  |
| Commissioner for Taking Affidavits (or as may be) | | | | | | | | | | | | | | | | | | |
|  | | | | |  |  | | | | | | | | | | | | |
| Signature of Commissioner (or as may be) | | | | |  | Signature of Deponent | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | |
| **WARNING:** | | | **IT IS AN OFFENCE UNDER THE *CRIMINAL CODE* TO KNOWINGLY SWEAR OR AFFIRM A FALSE AFFIDAVIT.** | | | | | | | | | | | | | | | |