FORM 64O

Courts of Justice Act

NOTICE OF REFERENCE TO SUBSEQUENT ENCUMBRANCER NAMED AS ORIGINAL
PARTY

(Court file no.)

ONTARIO

SUPERIOR COURT OF JUSTICE

B E T W E E N :

(name)

Plaintiff

and

(name)

Defendant*(s)*

and

(name(s))

Defendant*(s)* added
on the reference

NOTICE OF REFERENCE

The judgment in this action directs me *(where the judgment is for sale, insert:* to conduct a sale of the mortgaged property and*)* to inquire whether any person other than the plaintiff has a lien, charge or encumbrance on the mortgaged property in question in this action subsequent to the plaintiff's claim, and to take an account of the amount due to the plaintiff and any such person. It appears that you may have a lien, charge or encumbrance on the property.

YOU OR A LAWYER ACTING FOR YOU ARE REQUIRED TO APPEAR before me and prove your claim, *(choose one of the following)*

☐ In person

☐ By telephone conference

☐ By video conference

at the following location

(Courthouse address for in person hearing or telephone conference or video conference details, such as a dial-in number, access code, video link, etc., if applicable)

on .... (*day*), ... (*date*), at .... (*time*).

At that time, I shall determine the amount of the claim of the plaintiff, and of the encumbrancers who prove their claims before me. (*Where the judgment is for sale without redemption period, add:* At the same time, I shall settle the conditions of sale and advertisement and make any other necessary preparations for the sale of the property.*)*

    IF YOU FAIL TO ATTEND AND PROVE YOUR CLAIM at the time and place set out above, you will be treated as disclaiming any lien, charged or encumbrance on the property and the action will proceed in your absence and without further notice to you. The property may be dealt with as if you had no such claim and your claim may be foreclosed.

(Date)   *(Signature of referee)*

TO   *(Names, addresses and email addresses (if any) of defendants named in statement of claim who appear to be subsequent encumbrancers)*

RCP-E 64O (September 1, 2020)