

FORM 64Q

Courts of Justice Act

NOTICE TO ADDED DEFENDANT HAVING INTEREST IN EQUITY

(Court file no.)

ONTARIO

SUPERIOR COURT OF JUSTICE

B E T W E E N :

(name)

Plaintiff

and

(name(s))

Defendant(s)

and

(name(s))

Defendant(s) added
on the reference

NOTICE TO ADDED DEFENDANT

An action has been commenced by the plaintiff for the foreclosure (*or sale*) of the mortgaged property described in the attached schedule. I have been directed by the judgment in this action dated *(date) (where the judgment is for sale, insert: to conduct a sale of the property and)* to inquire whether any person other than the plaintiff has a lien, charge or encumbrance on the property subsequent to the plaintiff's claim or whether any other person has an interest in the property. It appears that you may have an interest in the property. I have therefore added you as a defendant in this action. A copy of my order and the judgment in the action are attached to this notice.

If you wish to set aside or vary my order adding you as a defendant or the judgment in this action, you must make a motion to the court within ten days after service on you of this notice (*or where the defendant is to be served outside Ontario, such further time as the referee directs*). If you fail to do so, you will be bound by the judgment and the subsequent steps in this action.

IF YOU WISH AN OPPORTUNITY TO REDEEM the property, you are required to appear before me, or to have an Ontario lawyer act for you, (*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).

IF YOU FAIL TO ATTEND at the time and place set out above, you may be deemed to submit to an immediate foreclosure of your interest (or an immediate sale of the property) and the action may proceed in your absence and without further notice to you.

(Date)

(Signature of referee)

TO *(Names, addresses and email addresses (if any) of defendants added on reference who appear to be interested in equity of redemption)*

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)

RCP-E 64Q (September 1, 2020)