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|  |       |
| Court File No. |
| **FORM 29** |
| REPORT UNDER SECTION 62 OF THE ACT IF LIEN DOES NOT ATTACH TO PREMISES (SMALL CLAIMS) |
|  |  | *Construction Act* |  |  |
|  |  | ***ONTARIO*** |  |  |
| **SUPERIOR COURT OF JUSTICE** |
|  |  |       |
|  |  | (day and date) |
| **BETWEEN** |       | Plaintiff(s) |
| **and** |
|  |       | Defendant(s) |
|  |
| **REPORT** |
| In accordance with a judgment of reference dated |       | , trial of this action was heard on |
|       | , at |       | , |
| (date) |  | (place) |  |
| in the presence of all parties (or the lawyers for identified parties, |       |
| appearing in person, no one appearing for |       | , or as the case may be). |
| ON READING THE PLEADINGS AND HEARING THE EVIDENCE and the submissions of the lawyers for the parties (or as the case may be), |
| (Use the appropriate paragraphs) |
| 1. | I FIND that the amount for which the defendant-owner |
|  |       | , is liable under section 21 [or subsection 17 (4)] of |
|  | (owner) |  |
|  | the *Construction Act* is $ |       | . |
| 2. | I FIND that the persons named in Column 1 of Schedule A to this report are respectively entitled to a lien under the *Construction Act* which lien is a charge under section 21 of the Act upon the amount for which the defendant-owner is liable; for the amounts set opposite their respective names in Column 4 and the primary debtors of those persons are set out in Column 5 of Schedule A. |
| 3. | AND I DIRECT that upon the defendant-owner |       |
|  |  | (owner) |
|  | paying into court to the credit of this action the amount of $ |       | for which the owner is liable on or  |
|  | before the |       | , |       | the liens mentioned in Schedule A are discharged, |
|  |  | (day) |  | (date) |  |
|  | and that the money paid into court is paid in payment of the persons entitled to a lien. |
| 4. | AND I DIRECT that if the money paid into court is insufficient to pay in full the proven claims of the persons mentioned in Column 1 of Schedule A, the primary debtor of each of those persons as set out in Column 5 of Schedule A shall pay the amount remaining due to those persons forthwith after this amount has been ascertained by the Deputy Judge. |

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| 5. | AND I FIND that the following persons have not proved any lien under the *Construction Act*: |
|  |       |
|  | (names of persons) |
|  | and are not entitled to a personal judgment against any of the parties to this action. |
| 6. | AND I FIND that the persons whose names are set out in Column 1 of Schedule B to this report, although they have not proven their claims for lien, are entitled to personal judgment for the amounts set opposite their respective names in Column 5 after confirmation of this report and the respective debtors shall forthwith after confirmation of this report pay to their respective judgment creditors the amount found due. |
|  |  |  |
|  |  | Signature of Referee |
| **SCHEDULE A** |
| COLUMN 1 | COLUMN 2 | COLUMN 3 | COLUMN 4 | COLUMN 5 |
| Names of persons entitled to construction lien | Amount of debt and interest (if any) | Costs | Total | Names of primary debtors |
|       | $ |       | $ |       | $ |       |       |
|  |  |
|  |  |
| **SCHEDULE B** |
| COLUMN 1 | COLUMN 2 | COLUMN 3 | COLUMN 4 | COLUMN 5 |
| Judgment creditors not entitled to liens | Amount of debt and interest (if any) | Costs | Total | Names of debtors |
|       | $ |       | $ |       | $ |       |       |
|  |  |
|  |  |