|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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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. | | | | | | | | | | | | | | | | | | | | | | | | | | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 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 |
|  | | | $ |  | | $ | |  | | $ |  |  |
|  | | | | |  | | | | | | | |
|  | | | | |  | | | | | | | |