### **Table of Contents**

### CHAPTER 1. HOT TOPICS

- § 1:1 Current Practice Directions
- § 1:2 Guidelines to Determine Hearing Method in the Small Claims Court
- § 1:3 Consolidated Notice to the Profession and Public Respecting the Small Claims Court
- § 1:4 Legislative Developments
- § 1:5 Survey of Recent Case Law

### CHAPTER 2. A SELF-HELP OVERVIEW

§ 2:1 How to Proceed in Small Claims Court

### CHAPTER 3. COURTS OF JUSTICE ACT

### I. INTRODUCTION

- § 3:1 [History]
- § 3:2 [Section 1. Definitions]
- § 3:3 [Section 1.1 References to former names of courts]

# II. PART I COURT OF APPEAL FOR ONTARIO (SS. 2-9)

- § 3:4 [Section 2. Court of Appeal]
- § 3:5 [Section 3. Composition of court]
- § 3:6 [Section 4. Assignment of judges from Superior Court of Justice]
- § 3:7 [Section 5. Powers and duties of Chief Justice]
- § 3:8 [Section 6. Court of Appeal jurisdiction]
- § 3:9 [Section 7. Composition of court]
- § 3:10 [Section 8. References to Court of Appeal]
- § 3:11 [Section 9. Meeting of judges]

### III. PART II COURT OF ONTARIO (SS. 10-53)

- A. SECTION 10
- § 3:12 [Section 10. Court of Ontario]

#### B. SUPERIOR COURT OF JUSTICE

§ 3:13 [Section 11. Superior Court of Justice]

§ 3:14	[Section 12. Composition of Superior Court of Justice]
§ 3:15	[Section 13. Assignment of judges from Court of Appeal]
§ 3:16	[Section 14. Chief Justice, Associate Chief Justice and regional senior judges of Superior Court of Justice; Senior Judge of Family Court]
§ 3:17	[Section 15. Judges assigned to regions]
§ 3:18	[Section 16. Composition of court for hearings]
§ 3:19	[Section 17. Appeals to Superior Court of Justice]
C.	DIVISIONAL COURT
§ 3:20	[Section 18. Divisional Court]
§ 3:21	[Section 19. Divisional Court jurisdiction]
§ 3:22	[Section 20. Place for hearing]
§ 3:23	[Section 21. Composition of court for hearings]
D.	FAMILY COURT
§ 3:24	[Section 21.1 Family Court]
§ 3:25	[Section 21.2 Composition of Family Court]
§ 3:26	[Section 21.3 Transitional measure]
§ 3:27	[Sections 21.4–21.6 Repealed 1998, c. 20, Sched. A, s. 5.]
§ 3:28	[Section 21.7 Composition of court for hearings]
§ 3:29	[Section 21.8 Proceedings in Family Court]
§ 3:30	[Section 21.9 Other jurisdiction]
§ 3:31	[Section 21.9.1 Repealed 2020, c. 25, Sched. 2, s. 3.]
§ 3:32	[Section 21.10 Orders of predecessor court]
§ 3:33	[Section 21.11 Place where proceeding commenced]
§ 3:34	[Section 21.12 Enforcement of orders]
§ 3:35	[Section 21.13 Community liaison committee]
§ 3:36	[Section 21.14 Community resources committee]
§ 3:37	[Section 21.15 Dispute resolution service]
E.	SMALL CLAIMS COURT
§ 3:38	[Section 22. Small Claims Court]
§ 3:39	[Section 23. Jurisdiction]
§ 3:40	[Section 24. Composition of court for hearings]
§ 3:41	[Section 25. Summary hearings]
§ 3:42	[Section 26. Representation]
§ 3:43	[Section 27. Evidence]
§ 3:44	[Section 28. Instalment orders]
§ 3:45	[Section 29. Limit on costs]

### Table of Contents

3:46	[Section 30. Contempt hearing for failure to attend examination]
3:47	[Section 31. Appeals]
3:48	[Section 32. Deputy judges]
3:49	[Section 33. Deputy Judges Council]
3:50	[Section 33.1 Complaint]
, 0.00	[Section 65.1 Complaint]
F.	ONTARIO COURT OF JUSTICE
3:51	[Section 34. Ontario Court of Justice]
3:52	[Section 35. Composition of Ontario Court of Justice]
3:53	[Section 36. Chief Justice, Associate Chief Justice and regional senior judges of Ontario Court of Justice]
3:54	[Section 37. Judges assigned to regions]
3:55	[Section 38. Jurisdiction of Ontario Court of Justice]
3:56	[Section 39. Judge to preside]
3:57	[Section 40. Appeals]
3:58	[Section 41. Penalty for disturbance outside
	courtroom]
G.	PROVINCIAL JUDGES
3:59	[Section 42. Appointment of provincial judges]
3:60	[Section 43. Judicial Appointments Advisory
	Committee]
3:61	Committee] [Section 43.1 Judicial Appointments Advisory Committee]
3:61 3:62	[Section 43.1 Judicial Appointments Advisory Committee]
	[Section 43.1 Judicial Appointments Advisory
3:62	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated]
3:62 3:63	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be
\$ 3:62 \$ 3:63 \$ 3:64	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated] [Section 46. Outside activities]
3:62 3:63 3:64 3:65	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated] [Section 46. Outside activities] [Section 47. Retirement] [Section 48. Resignation and election]
3:62 3:63 3:64 3:65 3:66 H.	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated] [Section 46. Outside activities] [Section 47. Retirement] [Section 48. Resignation and election]  ONTARIO JUDICIAL COUNCIL
\$ 3:62 \$ 3:63 \$ 3:64 \$ 3:65 \$ 3:66	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated] [Section 46. Outside activities] [Section 47. Retirement] [Section 48. Resignation and election]
3:62 3:63 3:64 3:65 3:66 H.	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated] [Section 46. Outside activities] [Section 47. Retirement] [Section 48. Resignation and election]  ONTARIO JUDICIAL COUNCIL  [Section 49. Judicial Council] [Section 50. Complaint against Chief Justice, Associate Chief Justice or regional senior judge of
3:62 3:63 3:64 3:65 3:66 H. 3:67 3:68	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated] [Section 46. Outside activities] [Section 47. Retirement] [Section 48. Resignation and election]  ONTARIO JUDICIAL COUNCIL  [Section 49. Judicial Council] [Section 50. Complaint against Chief Justice, Associate Chief Justice or regional senior judge of the Ontario Court of Justice]
3:62 3:63 3:64 3:65 3:66 H. 3:67 3:68	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated] [Section 46. Outside activities] [Section 47. Retirement] [Section 48. Resignation and election]  ONTARIO JUDICIAL COUNCIL  [Section 49. Judicial Council] [Section 50. Complaint against Chief Justice, Associate Chief Justice or regional senior judge of the Ontario Court of Justice] [Section 51. Other duties of Judicial Council] [Section 51.1 Rules]
3:62 3:63 3:64 3:65 3:66 H. 3:67 3:68 3:69 3:70 3:71	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated] [Section 46. Outside activities] [Section 47. Retirement] [Section 48. Resignation and election]  ONTARIO JUDICIAL COUNCIL  [Section 49. Judicial Council] [Section 50. Complaint against Chief Justice, Associate Chief Justice or regional senior judge of the Ontario Court of Justice] [Section 51. Other duties of Judicial Council] [Section 51.1 Rules] [Section 51.2 Use of official languages of courts]
3:62 3:63 3:64 3:65 3:66 H. 3:67 3:68	[Section 43.1 Judicial Appointments Advisory Committee] [Section 44. Full and part-time service] [Section 45. Application for order that needs be accommodated] [Section 46. Outside activities] [Section 47. Retirement] [Section 48. Resignation and election]  ONTARIO JUDICIAL COUNCIL  [Section 49. Judicial Council] [Section 50. Complaint against Chief Justice, Associate Chief Justice or regional senior judge of the Ontario Court of Justice] [Section 51. Other duties of Judicial Council] [Section 51.1 Rules]

- § 3:74 [Section 51.5 Mediation]
- § 3:75 [Section 51.6 Adjudication by Council]
- § 3:76 [Section 51.7 Compensation]
- § 3:77 [Section 51.8 Removal for cause]
- § 3:78 [Section 51.9 Standards of conduct]
- § 3:79 [Section 51.10 Continuing education]
- § 3:80 [Section 51.11 Performance evaluation]
- § 3:81 [Section 51.12 Consultation]

#### I. PROVINCIAL JUDGES' REMUNERATION

§ 3:82 [Section 51.13 Remuneration and framework agreement]

#### J. MISCELLANEOUS

- § 3:83 [Section 52. Meetings of judges]
- § 3:84 [Section 53. Regulations]

#### IV. PART III (SS. 54-64)

§ 3:85 [Sections 54–64 Repealed 1994, c. 12, s. 19.]

### V. PART IV RULES OF COURT (SS. 65–70.1)

#### A. SECTIONS 65–69

- § 3:86 [Section 65. Civil Rules Committee]
- § 3:87 [Section 66. Civil rules]
- § 3:88 [Section 67. Family Rules Committee]
- § 3:89 [Section 68. Family rules]
- § 3:90 [Section 69. Criminal Rules Committee]

### B. CRIMINAL AND PROVINCIAL OFFENCES RULES

- § 3:91 [Section 70. Criminal rules]
- § 3:92 [Section 70.1 Provincial offences rules]

# VI. PART V ADMINISTRATION OF THE COURTS (SS. 71–79.3)

- § 3:93 [Section 71. Goals]
- § 3:94 [Section 72. Role of Attorney General]
- § 3:95 [Section 73. Court officers and staff]
- § 3:96 [Section 74. Destruction of documents]
- § 3:97 [Section 75. Powers of chief or regional senior judge]

ATT.	
TABLE OF	'ONITEDITE
TADLE OF	

§ 3:98	[Section 76. Direction of court staff]
§ 3:99	[Section 77. Memoranda of understanding between
§ 3:100	Attorney General and Chief Justices]
§ 3:100 § 3:101	[Section 78. Ontario Courts Advisory Council] [Section 79. Ontario Courts Management Advisory
8 2:101	Committee]
§ 3:102	[Section 79.1 Regions]
§ 3:102	[Section 79.1 Regional Courts Management
3 0.100	Advisory Committee]
§ 3:104	[Section 79.3 Annual report on administration of courts]
VII.	PART VI JUDGES AND OFFICERS (SS. 80–94)
§ 3:105	[Section 80. Oath of office]
§ 3:106	[Section 81. Persona designata abolished]
§ 3:107	[Section 82. Liability of judges and other officers]
§ 3:108	[Section 83. Repealed 1996, c. 25, s. 1(16).]
§ 3:109	[Section 84. Extra-judicial services]
§ 3:110	[Section 85. Judges' gowns]
§ 3:111	[Section 86. How certain judges to be addressed]
§ 3:112	[Section 86.1 Associate judges]
§ 3:113	[Section 86.2 Complaint re associate judge]
§ 3:114	[Section 87. Repealed 2020, c. 11, Sched. 5, s. 8.]
§ 3:115	[Section 87.1 Small Claims Court judges]
§ 3:116	[Section 87.2 Small Claims Court Administrative Judge]
§ 3:117	[Section 87.3 Complaint]
§ 3:118	[Section 88. Regulations]
§ 3:119	[Section 89. Children's Lawyer]
§ 3:120	[Section 90. Assessment officers]
§ 3:121	[Section 91. Officers of court]
§ 3:122	[Section 92. Administration of oaths]
§ 3:123	[Section 93. Money held by officer of court]
§ 3:124	[Section 94. Disposition of court fees]
VIII.	PART VII COURT PROCEEDINGS (SS.
	95–148)
A	SECTION 95
§ 3:125	[Section 95. Application of Part]
В	COMMON LAW AND EQUITY

[Section 96. Rules of law and equity]

[Section 97. Declaratory orders]

§ 3:127

### ONTARIO SMALL CLAIMS PRACTICE

§ 3:128	[Section 98. Relief against penalties]
§ 3:129	[Section 99. Damages in substitution for injunction
0.0.100	or specific performance]
§ 3:130	[Section 100. Vesting orders]
C.	INTERLOCUTORY ORDERS
§ 3:131	[Section 101. Injunctions and receivers]
§ 3:132	[Section 102. Injunction in labour dispute]
§ 3:133	[Section 103. Certificate of pending litigation]
§ 3:134	[Section 104. Interim order for recovery of personal
\$ 0.10 <del>1</del>	property]
§ 3:135	[Section 105. Physical or mental examination]
§ 3:136	[Section 106. Stay of proceedings]
§ 3:130 § 3:137	[Section 100. Stay of proceedings] [Section 107. Consolidation of proceedings in
8 9.191	different courts]
D.	PROCEDURAL MATTERS
§ 3:138	[Section 108. Jury trials]
§ 3:139	[Section 109. Notice of constitutional question]
§ 3:140	[Section 110. Proceeding in wrong forum]
§ 3:140	[Section 111. Set off]
§ 3.141 § 3:142	[Section 112. Report of Children's Lawyer]
§ 3.142 § 3:143	•
8 9:149	[Section 113. Agreement preventing third party claim or crossclaim]
§ 3:144	[Section 114. Agreement as to place of hearing]
§ 3:145	[Section 115. Security]
§ 3:146	[Section 116. Periodic payment and review of
	damages]
§ 3:147	[Section 116.1 Periodic payment, medical
	malpractice actions]
§ 3:148	[Section 117. Assessment of damages]
§ 3:149	[Section 118. Guidance and submissions]
§ 3:150	[Section 119. Power of court on appeal]
§ 3:151	[Section 120. Advance payments]
§ 3:152	[Section 121. Foreign money obligations]
§ 3:153	[Section 122. Actions for accounting]
§ 3:154	[Section 123. Judge's retirement, etc., inability or
3 0.10 1	failure to give decision]
§ 3:155	[Section 124. Repealed 2009, c. 33, Sched. 2, s.
	20(17).]
E.	LANGUAGE
§ 3:156	[Section 125. Official languages of the courts]
§ 3:157	[Section 126. Use of French]
	<u> </u>

xviii

order]

§ 3:179 § 3:180 [Section 143. Enforcement]

[Section 143.1 Repealed 1999, c. 12, Sched. B, s. 4(4).]

TABLE OF	CONTENTS
F.	INTEREST AND COSTS
§ 3:158	[Section 127. Prejudgment and postjudgment interest rates]
§ 3:159	[Section 128. Prejudgment interest]
§ 3:160	[Section 129. Postjudgment interest]
§ 3:161	[Section 130. Discretion of court]
§ 3:162	[Section 131. Costs]
G.	APPEALS
§ 3:163	[Section 132. Judge not to hear appeal from own decision]
§ 3:164	[Section 133. Leave to appeal required]
§ 3:165	[Section 134. Powers on appeal]
H.	PUBLIC ACCESS
§ 3:166	[Section 135. Public hearings]
§ 3:167	[Section 136. Prohibition against photography, etc. at court hearing]
§ 3:168	[Section 137. Documents public]
I.	PREVENTION OF PROCEEDINGS THAT LIMIT FREEDOM OF EXPRESSION ON MATTERS OF PUBLIC INTEREST (GAG PROCEEDINGS)
§ 3:169	[Section 137.1 Dismissal of proceeding that limits debate]
§ 3:170	[Section 137.2 Procedural matters]
§ 3:171	[Section 137.3 Appeal to be heard as soon as practicable]
§ 3:172	[Section 137.4 Stay of related tribunal proceeding]
§ 3:173	[Section 137.5 Application]
J.	MISCELLANEOUS
§ 3:174	[Section 138. Multiplicity of proceedings]
§ 3:175	[Section 139. Joint liability not affected by judgment or release]
§ 3:176	[Section 140. Vexatious proceedings]
§ 3:177	[Section 141. Civil orders directed to sheriffs]
§ 3:178	[Section 142. Protection for acting under court

- § 3:181 [Section 144. Orders enforceable by police]
  § 3:182 [Section 145. Consul as official representative]
  § 3:183 [Section 146. Where procedures not provided]
  § 3:184 [Section 147. Seal of court]
  § 3:185 [Section 148. Jurisdiction of Federal Court]
- IX. PART VII.1 ENFORCEMENT OF CERTAIN TRADE AGREEMENTS (SS. 148.1–148.3)
- § 3:186 [Section 148.1 Application]
- § 3:187 [Section 148.2 Enforcement of order to pay tariff costs]
- § 3:188 [Section 148.3 Regulations]

### X. PART VIII MISCELLANEOUS (SS. 149-151.1)

- § 3:189 [Section 149. Family law mediation and information services]
- § 3:190 [Section 150. Renewal of writs of execution issued before January 1, 1985]
- § 3:191 [Section 151. References to counties for judicial purposes]
- § 3:192 [Section 151.1 Meaning unchanged]

### XI. SCHEDULE [NOT REPRODUCED]

§ 3:193 [Reserved]

# CHAPTER 4. RULES OF THE SMALL CLAIMS COURT

### I. INTRODUCTION

§ 4:1 [History]

#### II. RULE 1—GENERAL

- § 4:2 [1.01 Citation]
- § 4:3 [1.02 Definitions]
- § 4:4 [1.03 General Principle]
- § 4:5 [1.04 Orders on Terms]
- § 4:6 [1.05 Standards for Documents]
- § 4:7 [1.05.1 Electronic Filing, Issuance of Documents]
- § 4:8 [1.05.2 Electronic Court Documents, Communications, Signatures]
- § 4:9 [1.05.3 Small Claims Court E-Filing Service Portal]
- § 4:10 [1.05.4 Small Claims Court Submissions Online Portal]

#### TABLE OF CONTENTS

- § 4:11 [1.06 Forms]
- § 4:12 [1.07 Telephone and Video Conferences—Where Available]
- § 4:13 [1.08 Representation]
- § 4:14 [1.09 Ceasing to be a Representative]

# III. RULE 2—NON-COMPLIANCE WITH THE RULES

- § 4:15 [2.01 Effect of Non-Compliance]
- § 4:16 [2.02 Court May Dispense With Compliance]

#### IV. RULE 3—TIME

- § 4:17 [3.01 Computation]
- § 4:18 [3.02 Powers of Court]

#### V. RULE 4—PARTIES UNDER DISABILITY

- § 4:19 [4.01 Plaintiff's Litigation Guardian]
- § 4:20 [4.02 Defendant's Litigation Guardian]
- § 4:21 [4.03 Who May Be Litigation Guardian]
- § 4:22 [4.04 Duties of Litigation Guardian]
- § 4:23 [4.05 Power of Court]
- § 4:24 [4.06 Setting Aside Judgment, etc.]
- § 4:25 [4.07 Settlement Requires Court's Approval]
- § 4:26 [4.08 Money to be Paid into Court]

# VI. RULE 5—PARTNERSHIPS AND SOLE PROPRIETORSHIPS

- § 4:27 [5.01 Partnerships]
- § 4:28 [5.02 Defence]
- § 4:29 [5.03 Notice to Alleged Partner]
- § 4:30 [5.04 Disclosure of Partners]
- § 4:31 [5.05 Enforcement of Order]
- § 4:32 [5.06 Sole Proprietorships]

#### VII. RULE 6—FORUM AND JURISDICTION

- § 4:33 [6.01 Place of Commencement and Trial]
- § 4:34 [6.02 No Division for Jurisdictional Purposes]
- § 4:35 [6.03 Repealed O. Reg. 78/06, s. 8(2).]

# VIII. RULE 7—COMMENCEMENT OF PROCEEDINGS

§ 4:36 [7.01 Plaintiff's Claim]

- § 4:37 [7.02 Issuing Claim] § 4:38 [7.03 Repealed O. Reg. 249/21, s. 3.] § 4:39 [7.04 Repealed O. Reg. 249/21, s. 3.] IX. RULE 8—SERVICE § 4:40 [Summary] § 4:41 [8.01 Service of Particular Documents—Plaintiff's or Defendant's Claim § 4:42 [8.02 Personal Service] § 4:43 [8.03 Alternatives to Personal Service] § 4:44 [8.04 Substituted Service] § 4:45 [8.05 Service Outside Ontario] § 4:46 [8.06 Repealed O. Reg. 521/22, s. 3.] [8.07 Service by Mail] § 4:47 § 4:48 [8.07.1 Service by Courier] § 4:49 [8.08 Service by Email] § 4:50 [8.09 Notice of Change of Address] [8.09.1 Proof of Service] § 4:50.50 [8.10 Failure to Receive Document] § 4:51 Χ. RULE 9—DEFENCE
- § 4:52 [9.01 Defence]
- § 4:53 [9.02 Contents of Defence, Attachments]
- § 4:54 [9.03 Admission of Liability and Proposal of Terms of Payment]

### XI. RULE 10—DEFENDANT'S CLAIM

- § 4:55 [Introduction]
- [10.01 Defendant's Claim] § 4:56
- § 4:57 [10.02 Service]
- § 4:58 [10.03 Defence]
- § 4:59 [10.04 Defendant's Claim to be Tried with Main Action]
- [10.05 Application of Rules to Defendant's Claim] § 4:60

#### XII. RULE 11—DEFAULT PROCEEDINGS

- § 4:61 [11.01 Noting Defendant in Default]
- [11.02 Default Judgment, Plaintiff's Claim, Debt or § 4:62 Liquidated Demand]
- [11.03 Default Judgment, Plaintiff's Claim, § 4:63 Unliquidated Demand]
- § 4:64 [11.04 Default Judgment, Defendant's Claim]
- § 4:65 [11.05 Consequences of Noting in Default]

xxii

§ 4:66	[11.06 Setting Aside Noting of Default by Court of	n
	Motion]	

#### XIII. RULE 11.1—DISMISSAL BY CLERK

- § 4:67 [11.1.01 Dismissal]
- § 4:68 [11.1.02 Effect of dismissal on defendant's claim]

# XIV. RULE 11.2—REQUEST FOR CLERK'S ORDER ON CONSENT

§ 4:69 [11.2.01 Consent Order]

#### XV. RULE 11.3—DISCONTINUANCE

- § 4:70 [11.3.01 Discontinuance by Plaintiff in Undefended Action]
- § 4:71 [11.3.02 Effect of Discontinuance on Subsequent Action]

# XVI. RULE 12—AMENDMENT, STRIKING OUT, STAY AND DISMISSAL

- § 4:72 [12.01 Right to Amend]
- § 4:73 [12.02 Motion to Strike out or Amend a Document]
- § 4:74 [12.03 Stay or Dismissal if No Leave under *Courts* of *Justice Act*]

#### XVII. RULE 13—SETTLEMENT CONFERENCES

- $\S~4:75$  [13.01 Settlement Conference Required in Defended Action]
- § 4:76 [13.02 Attendance]
- § 4:77 [13.03 Purposes of Settlement Conference]
- § 4:78 [13.04 Recommendations to Parties]
- § 4:79 [13.05 Orders at Settlement Conference]
- § 4:80 [13.06 Memorandum]
- § 4:81 [13.07 Notice of Trial]
- § 4:82 [13.08 Judge Not To Preside At Trial]
- § 4:83 [13.09 Withdrawal of Claim]
- § 4:84 [13.10 Costs]

#### XVIII. RULE 14—OFFER TO SETTLE

- § 4:85 [14.01 Offer To Settle]
- § 4:86 [14.01.1 Written Documents]
- § 4:87 [14.02 Time for Making Offer]
- § 4:88 [14.03 Withdrawal]

§ 4:89	[14.04 No Disclosure to Trial Judge]
§ 4:90	
§ 4:91	[14.06 Failure to Comply With Accepted Offer]
§ 4:92	[14.07 Costs Consequences of Failure to Accept]
3 4.02	[14.07 Costs Consequences of Lanufe to Recept]
XIX.	RULE 15—MOTIONS
\$ 4:93 \$ 4:94 \$ 4:95 \$ 4:96	<ul><li>[15.01 Notice of Motion and Supporting Affidavit]</li><li>[15.02 Method of Hearing]</li><li>[15.03 Motion Without Notice]</li><li>[15.04 No Further Motions Without Leave]</li></ul>
§ 4:97	[15.05 Adjournment of Motion]
§ 4.37 § 4:98	[15.06 Withdrawal of Motion]
§ 4:99	[15.07 Costs]
3 4.00	[10.07 Costs]
<b>XX.</b> 3	RULE 16—NOTICE OF TRIAL
§ 4:100	[16.01 Clerk Fixes Date and Serves Notice]
XXI.	RULE 17—TRIAL
§ 4:101	[17.01 Failure to Attend]
§ 4:102	[17.02 Adjournment]
§ 4:103	[17.03 Inspection]
§ 4:104	
XXII.	RULE 18—EVIDENCE AT TRIAL
§ 4:105	[18.01 Affidavit]
§ 4:106	
_	Records]
§ 4:107	[18.03 Summons to Witness]
XXIII	RULE 19—COSTS
§ 4:108	[Introduction]
§ 4:109	[19.01 Disbursements]
§ 4:110	[19.02 Limit]
§ 4:111	[19.03 Repealed O. Reg. 440/10, s. 4.]
§ 4:112	[19.04 Representation Fee]
§ 4:113	[19.05 Compensation for Inconvenience and
	Expense]
§ 4:114	[19.06 Penalty]

### XXIV. RULE 20—ENFORCEMENT OF ORDERS

§ 4:115 [20.01 Definitions]

§ 4:116 [20.02 Power of Court]

#### Table of Contents

- § 4:117 [20.03 General]
- § 4:118 [20.04 Certificate of Judgment]
- § 4:119 [20.05 Delivery of Personal Property]
- § 4:120 [20.06 Writ of Seizure and Sale of Personal Property]
- § 4:121 [20.07 Writ of Seizure and Sale of Land]
- § 4:122 [20.08 Garnishment]
- § 4:123 [20.09 Consolidation Order]
- § 4:124 [20.10 Examination of Debtor or Other Person]
- § 4:125 [20.11 Contempt Hearing]
- § 4:126 [20.12 Satisfaction of Order]

#### XXV. RULE 21—REFEREE

§ 4:127 [21.01 Referee]

# XXVI. RULE 22—PAYMENT INTO AND OUT OF COURT

- § 4:128 [22. Repealed O. Reg. 400/12, s. 2.]
- § 4:129 [22.01 Definitions]
- § 4:130 [22.02 Non-Application of Rule]
- § 4:131 [22.03 Payment into Court]
- § 4:132 [22.04 Payment Out of Court]
- § 4:133 [22.05 Transition]

#### XXVII. RULE 23

§ 4:134 [23]

# CHAPTER 5. COURT FORMS, COURT FEES AND JUDGES

- § 5:1 [Schedule 1—Court Forms in Small Claims Court]
- § 5:2 [Ont. Reg. 332/16—Small Claims Court—Fees and Allowances]
- § 5:3 [Ont. Reg. 293/92—Superior Court of Justice and Court of Appeal—Fees]
- § 5:4 [Ont. Reg. 294/92—Sheriffs—Fees]
- § 5:5 [Ont. Reg. 2/05—Fee Waiver]
- § 5:6 [Ont. Reg. 94/14—Fees for Court Transcripts]

### CHAPTER 6. APPEALS

§ 6:1 Appeals

Glossary

**Table of Cases** 

Index