

FORM 22
REPORT UNDER SECTION 62 OF THE ACT
WHERE LIEN DOES NOT ATTACH TO PREMISES

Construction Lien Act

Court File No.

SUPERIOR COURT OF JUSTICE

(master)

(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 solicitors 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 solicitors for the parties (or as the case may be),

(Use the appropriate paragraphs)

1. I FIND AND DECLARE that the amount for which the defendant-owner _____, is liable under section 21 [or subsection 17 (4)] of _____ (owner) the *Construction Lien Act* is \$ _____.

2. I FIND AND DECLARE that the persons named in Column 1 of Schedule A to this report are respectively entitled to a lien under the *Construction Lien 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 master.

5. AND I FIND AND DECLARE that the following persons have not proved any lien under the *Construction Lien Act*:

(names of persons)

and are not entitled to a personal judgement against any of the parties to this action.

6. AND I FIND AND DECLARE 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 of Schedule B 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 master)

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
	\$	\$	\$	
	\$	\$	\$	
	\$	\$	\$	

(signature of master)

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
	\$	\$	\$	
	\$	\$	\$	
	\$	\$	\$	

(signature of master)