

Instructions for Getting an Examination Hearing

If you are the plaintiff and you win the case, the court may order the defendant to pay you money. The defendant (called the "debtor" after judgment, and you are called the "creditor") may pay right away, or you may give the debtor more time to pay. If the debtor does not pay, there are steps you can take to get the money. This is called **enforcing** the judgment. There are fees for these steps.

For example, you can ask the court to hold a hearing on the defendant's finances so that you can get more information about the debtor. This is called an examination.

Step 1: FILE a **Notice of Examination** form at the court office. Also file an **Affidavit for Enforcement Request** (Form 20P) with details of the debt. You must contact the clerk of the court to choose a time and date when the court could hold this examination. The court clerk will fill in the hearing date and time and sign the notice of examination.

Step 2: SERVE. This notice must be served by the creditor on the debtor or person to be examined at least 30 days before the hearing date. If a debtor to be examined is an individual, serve the notice together with a blank **Financial Information Form (Form 20I)**. There are rules about service. See the Small Claims Court "**Guide to Serving Documents**" at the court office or online at www.attorneygeneral.jus.gov.on.ca. You can get forms at the court office or online at www.ontariocourtforms.on.ca.

Step 3: FILE the **Notice of Examination** form at the court at least 3 days before the hearing date. Also file an **Affidavit of Service** (Form 8A) proving service.

Step 4: ATTEND the examination hearing and ask questions. See the Financial Information Form for ideas about what to ask. At the hearing, the debtor (or other person) will have to give information about his or her job, income, property, bank accounts, debts, expenses and reasons for not paying. Based on this information, the judge may order the debtor to make payments on certain dates, or you may want to take other enforcement steps.

If the debtor does not make the payments ordered, you can choose another step to try to get the money such as garnishment or seizure and sale of personal property or of land.

For more information about enforcing a judgment, see the Small Claims Court "**After Judgment – Guide to Getting Results**" at the court office or online at www.attorneygeneral.jus.gov.on.ca.

DO NOT FILE THIS PAGE.

ONTARIO
Superior Court of Justice

Notice of Examination
Form 20H Ont. Reg. No.: 258/98

(Seal)

OSHAWA

Small Claims Court

921/16

Claim No.

150 Bond St E. Oshawa ON L1G 0A2

Address

(905) 743-2800

Phone number

BETWEEN

Name of Your Municipality

Creditor(s)

and

Debtor's Name

Debtor(s)

TO: Debtor's Name

(Name of person to be examined)

of Debtor's Address, City, Province, Postal Code

(Address of person to be examined)

The creditor Name of Your Municipality of Municipality's Address, City, Province,
Postal Code

(Name of creditor)

(Address of creditor)

has obtained a judgment against Debtor's Name on April 20

(Name of debtor)

20 16, in the Oshawa Small Claims Court.

(Name of court where judgment was made)

According to the supporting affidavit filed by the creditor, the total due on the judgment is

\$ Amount of
Judgment . (This amount must match the total amount identified in the supporting affidavit.)
(Total)

This total due takes into account all money received, accrued post-judgment interest and costs to
this date: May 17, 20 16. (This date must match the date of the supporting affidavit.)

YOU ARE REQUIRED TO ATTEND AN EXAMINATION HEARING to explain how the debtor will pay this
judgment and if there are any reasons for not doing so.

Les formules des tribunaux sont affichées en anglais et en français sur le site
www.ontariocourtforms.on.ca. Visitez ce site pour des renseignements sur des
formats accessibles.

THIS COURT WILL HOLD AN EXAMINATION HEARING

on _____, 20 16, at _____ or as soon as possible after that time, at
(Time)

Address of Court, City, Province, Postal Code

(Address of court location)

(Courtroom number)

_____, 20 16

(Signature of clerk)

**CAUTION TO
PERSON BEING
EXAMINED:**

If you fail to attend the examination hearing or attend and refuse to answer questions or produce documents, you may be ordered to attend a contempt hearing. At the contempt hearing, you may be found in contempt of court and the court may order you to be jailed.

**NOTE TO
DEBTOR:**

A debtor who is an individual must serve on the creditor a completed Financial Information Form (Form 20I) prior to the hearing. This form must **not** be filed with the court. The debtor must provide a completed copy of this form to the judge at the examination hearing. The debtor must also bring to the hearing documents that support the information given in this form.



For information on accessibility of court services for people with disability-related needs, contact:



Telephone: 416-326-2220 / 1-800-518-7901 TTY: 416-326-4012 / 1-877-425-0575