

Instructions for Renewing a Notice of Garnishment

Your garnishment will expire 6 years after it is issued. If the amount owed to you has not been paid in full, you may wish to have the garnishment renewed to ensure that the garnishee will continue to make payments. This must be done before the garnishment expires.

Step 1: COMPLETE and FILE a **Notice of Renewal of Garnishment** form and an **Affidavit for Enforcement Request** (Form 20P) with the court office. The clerk will stamp the notice.

Step 2: SERVE. You then serve a copy of the stamped notice of renewal of garnishment and a blank **Garnishee's Statement** form (Form 20F) on the original garnishee. You also serve a copy of the stamped notice and the affidavit on the debtor. There are rules about how this must be done. 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 copies of forms at the court office or online at www.ontariocourtforms.on.ca.

Step 3: TERMINATE. Once the judgment has been paid in full, the rules of the court require you to serve a **Notice of Termination of Garnishment** (Form 20R) on the garnishee and the court clerk. There are rules about how this must be done. See the Small Claims Court "**Guide to Serving Documents**" at the court office or online at www.attorneygeneral.jus.gov.on.ca .

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.

(Seal)

Small Claims Court

Claim No.

Address

Phone number

Creditor

Additional creditor(s) listed on the attached Form 1A.

Last name, or name of company		
First name	Second name	Also known as
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code	Fax no.	
Representative	LSUC #	
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code	Fax no.	

Debtor

Last name, or name of company		
First name	Second name	Also known as
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code	Fax no.	

Garnishee

Last name, or name of company		
First name	Second name	Also known as
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code	Fax no.	

Les formulaires 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.

TO THE GARNISHEE:

The creditor has renewed the garnishment issued or last renewed on _____, 20____, (Date)

against the debtor. The creditor claims that you owe or will owe the debtor a debt in the form of wages, salary, pension payments, rent, annuity or other debt that you pay out in a lump-sum, periodically or by instalments. (A debt to the debtor includes both a debt payable to the debtor alone and a joint debt payable to the debtor and one or more co-owners.)

YOU ARE REQUIRED TO PAY to the clerk of the _____ Small Claims Court (Garnishment issuing court)

- (a) all debts now payable by you to the debtor, **within 10 days** after this notice is served on you; **and**
- (b) all debts that become payable by you to the debtor after this notice is served on you and **within 6 years** after this notice is issued, **within 10 days** after they become payable.

The total amount of all your payments to the clerk is not to exceed \$ _____ (Amount unsatisfied)

THIS NOTICE IS LEGALLY BINDING ON YOU until it expires or is changed, renewed, terminated or satisfied. If you do not pay the total amount or such lesser amount as you are liable to pay, you must serve a Garnishee’s Statement (Form 20F) on the creditor and debtor, and file it with the clerk within 10 days after this notice is served on you.

EACH PAYMENT, payable to the Minister of Finance, MUST BE SENT with a copy of the attached garnishee’s payment notice to the clerk at the above court address.

If your debt is jointly owed to the debtor and to one or more co-owners, you must pay the debtor’s appropriate share of the amount now payable, or which becomes payable, or such a percentage as the court may order.

The amounts paid into court shall not exceed the portion of the debtor’s wages that are subject to seizure or garnishment under Section 7 of the *Wages Act* (information available at: www.attorneygeneral.jus.gov.on.ca and www.e-laws.gov.on.ca). The portion of wages that can be garnished may be increased or decreased only by order of the court. If such a court order is attached to this notice or is served on you, you must follow the direction in that court order.

_____, 20____ (Signature of clerk)

CAUTION TO GARNISHEE: **IF YOU FAIL TO PAY** to the clerk the amount set out in this notice and do not file a Garnishee’s Statement (Form 20F) disputing garnishment, **JUDGMENT MAY BE OBTAINED AGAINST YOU BY THE CREDITOR** for payment of the amount set out above, plus costs. If you make a payment to anyone other than the clerk of the court, you may be liable to pay again [R. 20.08(17) and (18)].

NOTE: Any party or interested person may complete and serve a Notice of Garnishment Hearing (Form 20Q) to determine any matter related to this notice. To obtain forms and self-help materials, attend the nearest Small Claims Court or access the following website: www.ontariocourtforms.on.ca.

The top portion of the garnishee's payment notice, below, is to be completed by the creditor before the Notice of Renewal of Garnishment (Form 20E.1) is issued. Where it is anticipated that more than one payment will be made by the garnishee, the creditor should supply extra copies of the garnishee's payment notice. Additional copies of the garnishee's payment notice are available at court offices or online at www.ontariocourtforms.on.ca (see Form 20E or 20E.1).

GARNISHEE'S PAYMENT NOTICE

Make payment by cheque or money order payable to the Minister of Finance and send it, along with this payment notice to the clerk of the court at the following address:

Court address: _____

Claim No.: _____

Creditor: _____

Debtor: _____

Garnishee: _____

TO BE COMPLETED BY GARNISHEE FOR EACH PAYMENT

Date of payment: _____, 20 ____

Amount enclosed: \$ _____