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| **SUPERIOR COURT OF JUSTICE**  **ASSOCIATE JUDGES’ CONSTRUCTION LIEN OFFICE**  **CONSTRUCTION LIEN MOTION REQUEST FORM** | | | 393 University Avenue, 6th Floor  Toronto ON M5G 1E6  Tel.: (416) 326-1083 or (416) 212-9788  E-mail:  [Toronto.AssociateJudges.ConstructionLienMatters@ontario.ca](mailto:Toronto.AssociateJudges.ConstructionLienMatters@ontario.ca) | | |
| **Short Motion before a Construction Lien Associate Judge (2 hours or less)** | | | | | |
| **Long Motion before a Construction Lien Associate Judge (over 2 hours)** (Case conference with the assigned associate judge may be required to establish a timetable and set a hearing date.) | | | | | |
| \*\* Please return this completed form to the associate judges’ construction lien office, 393 University Avenue, 6th floor by e-mail to: [Toronto.AssociateJudges.ConstructionLienMatters@ontario.ca](mailto:Toronto.AssociateJudges.ConstructionLienMatters@ontario.ca) \*\* | | | | | |
| **Court File Number:**       (one file per request form) | | | | | |
| **Short Title:** | | | | | |
| **Moving Party:**  **Plaintiff  Defendant  Other** (specify)  **Responding Party:  Plaintiff  Defendant  Other** (specify)  **Is any moving/responding party self-represented?  No  Yes** (specify) | | | | | |
| **COMPLETE ALL QUESTIONS BELOW** | | | | | |
| 1. Is the subject property in Toronto? | | | | | Yes  No |
| * 1. If “no”, where is the subject property located?  (**Note**: Opposed motions concerning non-Toronto properties should be brought in the jurisdiction where the property is situate) | | | | |  |
| 1. Has there been a judgment / order directing a reference in the action? | | | | | Yes  No |
| * 1. If “yes”, has a first trial management conference or hearing for trial directions been conducted? | | | | | Yes  No |
| * + 1. If “yes”, identify the reference associate judge: | | | | |  |
| * + 1. If “no”, has the hearing been scheduled? If so, identify the date: | | | | | Yes  No YYYY-MM-DD |
| 1. Describe relief sought: | | | | |  |
| 1. Statutory provisions or rule(s) under which the motion is brought: | | | | |  |
| 1. Is leave of the court required for the motion? (s. 13 of O Reg 302/18 under the *Construction Act* or s. 67(2) of the former *Construction Lien Act*, as applicable) | | | | | Yes  No |
| * + 1. If “yes”, has leave of the court already been obtained? | | | | | Yes  No |
| * + 1. If “no”, is leave opposed by any party? | | | | | Yes  No  Unknown |
| 1. Is the motion urgent? If so, briefly explain nature of urgency. | | | | | Yes  No |
| 1. Estimated time for oral argument by all parties (including reply and costs): | | | | |  |
| 1. Is the oral hearing requested to proceed in-person or remotely by videoconference (select only one method of hearing)?  (**Note**: Availability of in-person hearings may be more limited.) | | | | | In-Person  Remote |
| * 1. If an in-person hearing is requested, is the request on consent of all affected parties? | | | | | Yes  No |
| 1. Requested date(s) for motion to be heard?   (**Note**: For short motions, you must use Calendly to request a date. Please use this field to list the date you selected in Calendly. For long motions, a case conference may be required before a date is booked.) | | | | YYYY-MM-DD  YYYY-MM-DD  YYYY-MM-DD | |
| **Name of Party/Lawyer Bringing the Motion:** |  |  | | | |
|  |  | Name and Firm (please type or print clearly) | | | |
| YYYY-MM-DD |  |  | | | |
| Date |  | Telephone Number and Email Address | | | |
| **Name of Party/Lawyer Responding to Motion:** |  |  | | | |
|  |  | Name and Firm (please type or print clearly) | | | |
|  |  |  | | | |
|  |  | Telephone Number and Email Address | | | |
| **Name of Additional Party/Lawyer Responding to Motion:** |  |  | | | |
|  |  | Name and Firm (please type or print clearly) | | | |
|  |  |  | | | |
|  |  | Telephone Number and Email Address | | | |

**PLEASE READ: Instructions Applicable to all Motions**

* **A copy of this completed and approved form must be submitted with all materials when they are filed**.
* A copy of this form as approved is to be served on all responding parties with the motion record.
* Only one adjournment is permitted. Any further requests for adjournment must be made at the scheduled hearing.
* You will be contacted if there is an issue with you booking, otherwise you will not be contacted.
* Notice of motion must be filed within 10 business days after this request form is submitted to the court, else the motion may be struck from booking.
* Unless otherwise directed, all motion materials are to be filed electronically through the Justice Services Online (JSO) [Civil Submissions Online](https://www.ontario.ca/page/file-civil-claim-online) portal. Where the JSO portal cannot be used, or is not required to be used, materials should be filed by email to [Toronto.AssociateJudges.ConstructionLienMatters@ontario.ca](mailto:Toronto.AssociateJudges.ConstructionLienMatters@ontario.ca).
* Once you have received confirmation of filing from the court, all materials must be uploaded to CaseLines at least one week before hearing, or as soon as possible following receipt of the CaseLines link from the court.
* For all email filings, the email must indicate the court file number, short title of proceedings, party filing the materials, the hearing-type (e.g. opposed motion), and the associate judge hearing the motion (if known).
* Motion confirmation forms (Form 37B under the *Rules of Civil Procedure*) shall be submitted in accordance with Rule 37.10.1 of the *Rules of Civil Procedure* by email to the Assistant Trial Coordinator of the construction lien associate judge hearing the motion or to [Toronto.AssociateJudges.ConstructionLienMatters@ontario.ca](mailto:Toronto.AssociateJudges.ConstructionLienMatters@ontario.ca).
* Motions for which confirmations are not received will not be added to the motions list.

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| **associate judges’ construction lien office use only**  date and time booked:  duration booked:  construction lien associate judge assigned/seized: |