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| **SUPERIOR COURT OF JUSTICE**  **MASTERS’ 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  Fax: (416) 326-5416  E-mail: [Toronto.Masters.ConstructionLienMatters@ontario.ca](mailto:Toronto.Masters.ConstructionLienMatters@ontario.ca) | |
| **Short Motion before a Construction Lien Master (2 hours or less)** | | |
| **Long Motion before a Construction Lien Master (over 2 hours)**  (Case conference with the assigned Master will be required to establish a timetable and set a hearing date.) | | |
| \*\* Please return this completed form to the masters’ construction lien office, 393 University Avenue, 6th floor by fax or email to: [Toronto.Masters.ConstructionLienMatters@ontario.ca](mailto:Toronto.Masters.ConstructionLienMatters@ontario.ca). | | |
| **Court File Number:** | | |
| **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? | |  |
| 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 directions been conducted? | | Yes  No |
| * + 1. If “yes”, identify the reference master: | |  |
| * + 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 |

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| 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**: Available motion dates should be obtained from the masters’ construction lien office prior to submitting this form.) | | | **YYYY-MM-DD**  **YYYY-MM-DD**  **YYYY-MM-DD** |
| **Name of Party/Lawyer Bringing the Motion:** |  |  | |
|  |  | Name and Firm (please type or print clearly) | |
|  |  |  | |
| 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.Masters.ConstructionLienMatters@ontario.ca](mailto:Toronto.Masters.ConstructionLienMatters@ontario.ca).
* 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 master hearing the motion (if known).
* Motion confirmation forms (Form 37B under the *Rules of Civil Procedure*) shall be submitted by 2:00 p.m. at least 3 business days prior to the scheduled motion hearing by email to the Assistant Trial Coordinator of the construction lien master hearing the motion or to [Toronto.Masters.ConstructionLienMatters@ontario.ca](mailto:Toronto.Masters.ConstructionLienMatters@ontario.ca).
* Motions for which confirmations are not received will not be added to the motions list.

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| **masters’ construction lien office use only**  date and time booked: duration booked:  construction lien master assigned/seized: |