

Court File No.

**ONTARIO
SUPERIOR COURT OF JUSTICE**

IN THE MATTER OF the *Construction Act*, R.S.O. 1990, c.C.30, as amended

MASTER) DAY, THE DAY OF
)
) , 2020
)

B E T W E E N :

(Court Seal)

(name)

Plaintiff

- and -

(name)

Defendant

ORDER

THIS MOTION, made by *[identify moving party]* for *[state the relief sought in the notice of motion, except to the extent that it appears in the operative part of the order]*, *[where applicable, add made without notice,]* was heard *or* read this day at 393 University Avenue, Toronto, Ontario. *[recite any particulars necessary to understand the order]*

ON READING the *[give particulars of the material filed on the motion]* and *[where applicable, add on reading the submissions of the lawyer(s) for (identify party/parties)]*, *[where applicable, add (identify party) appearing in person or no one appearing for (identify party)]*, although properly served as appears from *(indicate proof of service)]*, and *[identify person/party]* having obtained security to post into court with the Accountant of the Ontario

Superior Court of Justice (the “**Accountant**”) in the amount of \$(*insert amount*), being the amount claimed in the claim for lien of \$(*insert amount*) plus the sum of \$(*insert amount*) as security for costs, by way of (*insert form of security*) [*for lien bonds or letters of credit, add* dated (*insert date*) issued by (*insert issuer*) and bearing (*insert lien bond number or letter of credit number*)] (the “**Security**”),

[Where security is a lien bond or letter of credit, include all paragraphs below]

[Where security is bank draft or certified cheque, do **not** include para. 1]

1. **THIS COURT ORDERS AND DIRECTS** that, notwithstanding the court’s approval of the Security has been made on a copy of the said Security, the Accountant shall accept the posting of the original Security provided it is submitted with the copy of the Security as approved by the court, which copy shall be retained by the Accountant with the original Security.

2. **THIS COURT ORDERS AND DIRECTS** that the Accountant shall accept a copy of the fiat as signed by the court [*where applicable, add* and the copy of the Security as approved by the court], such that the originally-signed fiat [*where applicable, add* and the originally-signed and approved copy of the Security] shall not be required.

3. **THIS COURT ORDERS** that, upon the posting of approved security, the claim for lien of (*insert party*) registered on (*insert date*) as Instrument No. (*insert registration number*) against the lands and premises more particularly described in Schedule “A” hereto, in the Land Titles Division of Land Registry Office No. (*insert number*), be vacated.

4. **THIS COURT ORDERS** that a copy of this order, together with a copy of the Accountant’s receipt from posting the Security, be served upon the (*insert parties*) [*and/or, where applicable, the lawyers for (insert parties)*] forthwith after entry.

(Signature of Master)

Schedule “A”

(insert legal description)