[Français](http://www.ontario.ca/fr/lois/loi/90e24)

Execution Act

R.S.O. 1990, Chapter E.24

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Definitions

**1** In this Act,

“execution creditor” includes a person in whose name or on whose behalf a writ of execution is issued on a judgment, or in whose favour an order has been made for the seizure and sale of personal property, real property or both real property and personal property; (“créancier saisissant”)

“execution debtor” includes a person against whom a writ of execution is issued on a judgment or an order has been made for the seizure and sale of personal property, real property or both real property and personal property; (“débiteur saisi”)

“judgment creditor” means a person, whether plaintiff or defendant, who has recovered judgment against another person, and includes a person entitled to enforce a judgment; (“créancier judiciaire”)

“judgment debtor” means a person, whether plaintiff or defendant, against whom a judgment has been recovered; (“débiteur judiciaire”)

“prescribed amount” means the amount prescribed by the regulations made under section 35; (“somme prescrite”)

“sheriff” means a sheriff referred to in section 73 of the Courts of Justice Act; (“shérif”)

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage; (“conjoint”)

“surviving spouse” means a person who was the person’s spouse at the time of his or her death; (“conjoint survivant”)

“writ of execution” includes,

(a) a writ of seizure and sale,

(b) a writ of seizure and sale of land,

(c) a writ of seizure and sale of personal property,

(d) a writ of sequestration,

(e) a subsequent writ that may issue for giving effect to a writ listed in any of clauses (a) to (d),

(f) an order for seizure and sale of personal property, real property or both real property and personal property,

(g) any other process of execution issued out of the Superior Court of Justice or the Ontario Court of Justice having jurisdiction to grant and issue warrants or processes of execution. (“bref d’exécution forcée”) R.S.O. 1990, c. E.24, s. 1; 1999, c. 6, s. 24 (1, 2); 2000, c. 26, Sched. A, s. 8 (1); 2005, c. 5, s. 26 (1-3); 2010, c. 16, Sched. 2, s. 3 (1-4); 2020, c. 11, Sched. 9, s. 1.

**Section Amendments with date in force (d/m/y)**

1999, c. 6, s. 24 (1, 2) - 01/03/2000

[2000, c. 26, Sched. A, s. 8 (1)](http://www.ontario.ca/laws/statute/S00026" \l "schedas8s1) - 15/04/2001

[2005, c. 5, s. 26 (1-3)](http://www.ontario.ca/laws/statute/S05005" \l "s26s1) - 09/03/2005

[2010, c. 16, Sched. 2, s. 3 (1-4)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s1) - 25/10/2010

[2020, c. 11, Sched. 9, s. 1](http://www.ontario.ca/laws/statute/S20011" \l "sched9s1) - 08/07/2020

Exemptions

**2** (1)  The following personal property of a debtor that is not a corporation is, at the option of the debtor, exempt from forced seizure or sale by any process at law or in equity:

1. Necessary clothing of the debtor and the debtor’s dependants.

2. Household furnishings and appliances that are of a value not exceeding the prescribed amount.

3. Tools and other personal property of the debtor, not exceeding the prescribed amount in value, that are used by the debtor to earn income from the debtor’s occupation.

4. One motor vehicle that is of a value not exceeding the prescribed amount.

5. Personal property prescribed by the regulations that is of a value not exceeding the prescribed amount. 2010, c. 16, Sched. 2, s. 3 (6).

Personal property exceeding exempted value

(1.1)  Despite paragraphs 2, 3, 4 and 5 of subsection (1), if the value of the personal property exceeds the prescribed amount for the property, the property is subject to seizure and sale under this Act. 2010, c. 16, Sched. 2, s. 3 (6).

Principal residence of debtor

(2)  The principal residence of a debtor is exempt from forced seizure or sale by any process at law or in equity if the value of the debtor’s equity in the principal residence does not exceed the prescribed amount. 2010, c. 16, Sched. 2, s. 3 (5).

Principal residence exceeding exempted value

(3)  Despite subsection (2), if the value of the debtor’s equity in the principal residence exceeds the prescribed amount, the principal residence is subject to seizure and sale under this Act. 2010, c. 16, Sched. 2, s. 3 (5); 2023, c. 9, Sched. 13, s. 1.

Medical devices, etc.

(4)  Aids and devices owned by a debtor that are required by the debtor or the debtor’s dependants to assist with a disability or a medical or dental condition are exempt from forced seizure or sale by any process at law or in equity. 2010, c. 16, Sched. 2, s. 3 (5).

**Section Amendments with date in force (d/m/y)**

[2000, c. 26, Sched. A, s. 8 (2)](http://www.ontario.ca/laws/statute/S00026" \l "schedas8s2) - 15/04/2001

[2010, c. 16, Sched. 2, s. 3 (5)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s5) - 25/10/2010; [2010, c. 16, Sched. 2, s. 3 (6)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s6) - 01/12/2015

[2023, c. 9, Sched. 13, s. 1](http://www.ontario.ca/laws/statute/S23009" \l "sched13s1) - 08/06/2023

Sale and refund of amount of exemption, household furnishings, etc.

**3** (1)  If an exemption is claimed for household furnishings or an appliance that has a sale value in excess of the sum of the amount prescribed for the purpose of paragraph 2 of subsection 2 (1) and the costs of the sale, and other personal property is not available for seizure and sale, the furnishings or appliance are subject to seizure and sale under a writ of execution and the prescribed amount referred to in that paragraph shall be paid to the debtor out of the proceeds of the sale. 2010, c. 16, Sched. 2, s. 3 (7).

Same, motor vehicle

(2)  If an exemption is claimed for a motor vehicle that has a sale value in excess of the sum of the amount prescribed for the purpose of paragraph 4 of subsection 2 (1) and the costs of the sale, the motor vehicle is subject to seizure and sale under a writ of execution and the prescribed amount referred to in that paragraph shall be paid to the debtor out of the proceeds of the sale. 2010, c. 16, Sched. 2, s. 3 (7).

Election to receive proceeds from sale of tools

(3)  A debtor may, in lieu of claiming an exemption for tools or other personal property referred to in paragraph 3 of subsection 2 (1), elect to receive the proceeds from the sale of the tools or property up to the prescribed amount referred to in that paragraph. 2010, c. 16, Sched. 2, s. 3 (7).

Same

(4)  If subsection (3) applies, the sheriff shall pay to the debtor the prescribed amount referred to in paragraph 3 of subsection 2 (1) out of the net proceeds of the sale or, if the proceeds are equal to or less than the prescribed amount, the total amount of the net proceeds. 2010, c. 16, Sched. 2, s. 3 (7).

**Section Amendments with date in force (d/m/y)**

[2000, c. 26, Sched. A, s. 8 (3-6)](http://www.ontario.ca/laws/statute/S00026" \l "schedas8s3) - 15/04/2001

[2006, c. 19, Sched. B, s. 6 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedbs6s1) - 22/06/2006

[2010, c. 16, Sched. 2, s. 3 (7)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s7) - 01/12/2015

Money derived from sale of exempted goods

**4** The sum to which a debtor is entitled under subsection 3 (1), (2) or (4) is exempt from attachment or seizure at the instance of a creditor. R.S.O. 1990, c. E.24, s. 4; 2006, c. 19, Sched. B, s. 6 (2); 2010, c. 16, Sched. 2, s. 3 (8).

**Section Amendments with date in force (d/m/y)**

[2006, c. 19, Sched. B, s. 6 (2)](http://www.ontario.ca/laws/statute/S06019" \l "schedbs6s2) - 22/06/2006

[2010, c. 16, Sched. 2, s. 3 (8)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s8) - 01/12/2015

Selection of exempt personal property by execution debtor

**5** (1)  Subject to section 2, the execution debtor is entitled to select, from his or her personal property, the personal property he or she claims as exempt from forced seizure and sale. 2010, c. 16, Sched. 2, s. 3 (9).

If execution debtor is deceased

(2)  If an execution debtor dies before the seizure and sale of his or her personal property, the following rules apply:

1. A selection made by the debtor in accordance with subsection (1) before death remains valid after death and may not be changed by an executor, administrator or heir of the debtor.

2. If the execution debtor dies before making or completing the selection under subsection (1), the selection or remaining selection shall be made as follows:

i. If the deceased debtor has a surviving spouse, the surviving spouse shall make the selection.

ii. If there is no surviving spouse, a surviving dependant of the debtor shall make the selection.

iii. If there is no surviving spouse or dependant, the family of the debtor shall make the selection.

iv. If any person entitled to make the selection under this section is a minor, the guardian of that person shall make the selection for him or her. 2010, c. 16, Sched. 2, s. 3 (9).

Limit on exemption

(3)  The total quantity and total value of personal property of an execution debtor that may be claimed as exempt by a person mentioned in subsection (2) and by the execution debtor before death must not exceed the quantity and value of property that would have been exempt property to just the execution debtor. 2010, c. 16, Sched. 2, s. 3 (9).

Onus

(4)  The onus of proof that the requirements of this section are satisfied is on the person claiming the exemption. 2010, c. 16, Sched. 2, s. 3 (9).

**Section Amendments with date in force (d/m/y)**

1999, c. 6, s. 24 (3, 4) - 01/03/2000

[2005, c. 5, s. 26 (4, 5)](http://www.ontario.ca/laws/statute/S05005" \l "s26s4) - 09/03/2005

[2010, c. 16, Sched. 2, s. 3 (9)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s9) - 25/10/2010

**6** Repealed: 2010, c. 16, Sched. 2, s. 3 (10).

**Section Amendments with date in force (d/m/y)**

1993, c. 27, Sched. - 31/12/1991; 1999, c. 6, s. 24 (5) - 01/03/2000

[2005, c. 5, s. 26 (6)](http://www.ontario.ca/laws/statute/S05005" \l "s26s6) - 09/03/2005

[2010, c. 16, Sched. 2, s. 3 (10)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s10) - 25/10/2010

Rules concerning exemptions

Personal property for which debt was incurred

**7** (1)  The provisions of this Act with respect to exemptions do not apply to personal property that is exempt from seizure to satisfy a debt contracted for the purchase of the personal property, unless the personal property is furnishings required to maintain a functional household or ordinary wearing apparel of the debtor or his or her dependants. 2010, c. 16, Sched. 2, s. 3 (11).

Debt for maintenance

(2)  The exemptions prescribed in this Act do not apply to exempt any article from seizure to satisfy a debt for maintenance of a spouse or former spouse or of a child, except tools, instruments and chattels ordinarily used by the debtor in the debtor’s business, profession or calling. R.S.O. 1990, c. E.24, s. 7 (2); 1999, c. 6, s. 24 (6); 2005, c. 5, s. 26 (7).

Chattels purchased to defeat creditors

(3)  The exemptions prescribed in this Act do not apply to chattels purchased for the purpose of defeating claims of creditors. R.S.O. 1990, c. E.24, s. 7 (3).

Selection of exempt property

(4)  A judgment debtor shall select the personal property that is exempt from seizure under section 2 in accordance with the regulations. 2010, c. 16, Sched. 2, s. 3 (12).

Exemptions

(5)  The exemptions prescribed in this Act bind the Crown. R.S.O. 1990, c. E.24, s. 7 (5).

**Section Amendments with date in force (d/m/y)**

1999, c. 6, s. 24 (6) - 01/03/2000

[2005, c. 5, s. 26 (7)](http://www.ontario.ca/laws/statute/S05005" \l "s26s7) - 09/03/2005

[2010, c. 16, Sched. 2, s. 3 (11)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s11) - 25/10/2010; [2010, c. 16, Sched. 2, s. 3 (12)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s12) - 01/12/2015

Disputes

**8** (1)  Where a dispute arises as to,

(a) whether or not a chattel is eligible for exemption from seizure under sections 2 to 7; or

(b) whether or not chattels claimed to be exempt exceed the value of the exemption prescribed by section 2,

the debtor or creditor may apply to the Superior Court of Justice for the determination of the question, and the court shall determine the question after a hearing upon such notice to such persons as the court directs. R.S.O. 1990, c. E.24, s. 8 (1); 2000, c. 26, Sched. A, s. 8 (7).

(2)  Repealed: 2010, c. 16, Sched. 2, s. 3 (14).

**Section Amendments with date in force (d/m/y)**

[2000, c. 26, Sched. A, s. 8 (7, 8)](http://www.ontario.ca/laws/statute/S00026" \l "schedas8s7) - 06/12/2000

[2010, c. 16, Sched. 2, s. 3 (14)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s14) - 25/10/2010; [2010, c. 16, Sched. 2, s. 3 (13)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s13) - no effect - see [2020, c. 11, Sched. 9, s. 2](http://www.ontario.ca/laws/statute/S20011" \l "sched9s2) - 08/07/2020

Sheriff may sell any lands of execution debtor

**9** (1)  The sheriff to whom a writ of execution against lands is delivered for execution may seize and sell thereunder the lands of the execution debtor, including any lands whereof any other person is seized or possessed in trust for the execution debtor and including any interest of the execution debtor in lands held in joint tenancy. R.S.O. 1990, c. E.24, s. 9.

Exception

(2)  Subsection (1) does not apply to permit the seizure and sale of real property held by another person in trust for the execution debtor if the writ of execution authorizes only the seizure and sale of personal property. 2010, c. 16, Sched. 2, s. 3 (15).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (15)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s15) - 25/10/2010

When writs of execution are binding

Definition

**10** (0.1)  In this section and section 11,

“index” means the electronic database maintained by the sheriff as the index of writs of execution. 2024, c. 2, Sched. 8, s. 1 (1).

When binding against personal property

(1)  A writ of execution against real property and personal property or against only personal property and any renewal of it binds the personal property against which it is issued from the time it is filed with the sheriff and entered into the index. 2010, c. 16, Sched. 2, s. 3 (16); 2024, c. 2, Sched. 8, s. 1 (2).

Execution issued out of Small Claims Court

(2)  Despite subsection (1), a writ of seizure and sale of personal property issued out of the Small Claims Court,

(a) is not entered into the index; and

(b) is binding on personal property of the execution debtor only from the time the personal property is seized. 2010, c. 16, Sched. 2, s. 3 (16); 2024, c. 2, Sched. 8, s. 1 (3).

Exception, purchaser in good faith

(3)  Despite subsection (1), no writ of execution against personal property, other than bills of sale and instruments in the nature of chattel mortgages, prejudices the title to the personal property if the personal property is acquired by a person in good faith and for valuable consideration unless the person had notice at the time of acquiring title to the personal property that a writ of execution under which the personal property of the execution debtor might be seized or attached has been filed with the sheriff and remains unexecuted. 2010, c. 16, Sched. 2, s. 3 (16).

Obligations of sheriff re index

(4)  A sheriff shall comply with the following requirements respecting the index:

1. If a writ of execution, a renewal of a writ of execution or a certificate of lien under the Bail Act is directed to the sheriff, the sheriff shall, upon receiving from or on behalf of the judgment creditor the required fee in accordance with the Administration of Justice Act and instructions to do so, promptly take the following actions:

i. Enter in the index the writ, renewal or certificate of lien, as the case may be.

ii. If applicable, indicate in the index that the writ, renewal or certificate of lien, as the case may be, affects real property governed by the Land Titles Act.

2. A sheriff shall assign consecutive numbers in the index to each writ and certificate of lien in the order in which the writs and certificates of lien are entered.

3. A sheriff shall note in the index the effective date of each writ, renewal and certificate of lien.

4. In the case of a renewal, a sheriff shall extend the expiry date by the period required under the applicable rule or statute.

5. A sheriff shall update the names of execution debtors in the index as directed by the court.

6. A sheriff shall note in the index any statutory declaration filed under clause 11 (1) (b).

7. A sheriff shall give the land registrar of each land titles division wholly or partially within the sheriff’s jurisdiction access to the index. 2024, c. 2, Sched. 8, s. 1 (4).

(5)  Repealed: 2024, c. 2, Sched. 8, s. 1 (4).

When binding against lands

(6)  Subject to section 11 and the Land Titles Act, a writ of execution, a renewal of it or a certificate of lien under the Bail Act binds the lands against which it is issued from the effective date of the writ, renewal or certificate noted in the index. 2010, c. 16, Sched. 2, s. 3 (16); 2024, c. 2, Sched. 8, s. 1 (5).

(7)  Repealed: 2024, c. 2, Sched. 8, s. 1 (6).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (16)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s16) - 25/10/2010

[2024, c. 2, Sched. 8, s. 1 (1-6)](http://www.ontario.ca/laws/statute/S24002" \l "sched8s1s1) - 06/03/2024

Writ not to bind lands unless name of debtor sufficient

**11** (1)  Where the name of an execution debtor set out in a writ of execution is not that of a corporation or the firm name of a partnership, the writ does not bind the lands of the execution debtor unless,

(a) the name of the execution debtor set out in the writ includes at least one given name in full; or

(b) a statutory declaration of the execution creditor or execution creditor’s solicitor is filed with the sheriff identifying the execution debtor by at least one given name in full. R.S.O. 1990, c. E.24, s. 11 (1).

When writ binds land

(2)  Subject to subsection (3), where a statutory declaration is filed under clause (1) (b), the name of the execution debtor set out in the writ shall be deemed to contain the given names affirmed in the declaration and the writ binds land from the time the declaration is noted in the index. R.S.O. 1990, c. E.24, s. 11 (2); 2024, c. 2, Sched. 8, s. 2.

Declaration not applicable re seizure and sale of personal property

(3)  For the purposes of the seizure and sale of personal property, the name of the execution debtor set out in the writ of execution is not deemed to contain the given names affirmed in the declaration filed under clause (1) (b). 2010, c. 16, Sched. 2, s. 3 (17).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (17)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s17) - 25/10/2010

[2024, c. 2, Sched. 8, s. 2](http://www.ontario.ca/laws/statute/S24002" \l "sched8s2) - 06/03/2024

**12** Repealed: 2010, c. 16, Sched. 2, s. 3 (18).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (18)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s18) - 25/10/2010

Liability of land to execution

**13** Subject to the Courts of Justice Act and the rules of court, land and other hereditaments and real estate belonging to any person indebted are liable to and chargeable with all just debts, duties and demands of whatsoever nature or kind owing by any such person to Her Majesty or to any of her subjects and are assets for the satisfaction thereof and are subject to the like remedies, proceedings and process for seizing, selling or disposing of them towards the satisfaction of such debts, duties and demands, and in like manner as personal estate is seized, sold or disposed of. R.S.O. 1990, c. E.24, s. 13; 2010, c. 16, Sched. 2, s. 3 (19).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (19)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s19) - 25/10/2010

Definitions re ss. 14, 15, 16 and 19

**13.1**In sections 14, 15, 16 and 19, “endorsement”, “entitlement order”, “instruction”, “issuer”, “securities intermediary”, “security” and “security entitlement” have the meanings given to those terms in the Securities Transfer Act, 2006. 2010, c. 16, Sched. 2, s. 3 (20).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (20)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s20) - 25/10/2010

Seizure of execution debtor’s interest in security, security entitlement

**14** (1)  The interest of an execution debtor in a security or security entitlement may be seized by the sheriff in accordance with sections 47 to 51 of the Securities Transfer Act, 2006. 2006, c. 8, s. 143 (1).

When effective

(2)  If a seizure under subsection (1) is by notice to an issuer or securities intermediary, the seizure becomes effective when the issuer or securities intermediary has had a reasonable opportunity to act on the seizure, having regard to the time and manner of receipt of the notice. 2006, c. 8, s. 143 (1).

Seizure includes dividends, other rights to payment

(3)  Every seizure and sale made by the sheriff shall include all dividends, distributions, interest and other rights to payment in respect of the security, if issued by an issuer incorporated or otherwise organized under Ontario law, or in respect of the security entitlement and, after the seizure becomes effective, the issuer or securities intermediary shall not pay the dividends, distributions or interest or give effect to other rights to payment to or on behalf of anyone except the sheriff or a person who acquires or takes the security or security entitlement from the sheriff. 2006, c. 8, s. 143 (1).

(4)  Repealed: 2010, c. 16, Sched. 2, s. 3 (21).

**Section Amendments with date in force (d/m/y)**

[2006, c. 8, s. 143 (1)](http://www.ontario.ca/laws/statute/S06008" \l "s143s1) - 01/01/2007

[2010, c. 16, Sched. 2, s. 3 (21)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s21) - 25/10/2010

Sheriff may deal with seized interest in security, security entitlement

**15** (1)  If an execution debtor’s interest in a security or security entitlement is seized by a sheriff, the sheriff shall be deemed to be the appropriate person under the Securities Transfer Act, 2006 for the purposes of dealing with or disposing of the seized property and, for the duration of the seizure, the execution debtor is not the appropriate person under that Act for the purposes of dealing with or disposing of the seized property. 2006, c. 8, s. 143 (1).

Same

(2)  Upon seizure of an execution debtor’s interest in a security or a security entitlement, the sheriff may,

(a) do anything that would otherwise have to be done by the execution debtor; or

(b) execute or endorse any document that would otherwise have to be executed or endorsed by the execution debtor. 2006, c. 8, s. 143 (1).

Certificate of sheriff’s authority

(3)  If the sheriff makes or originates an endorsement, instruction or entitlement order as the appropriate person pursuant to subsection (1), the sheriff shall provide the issuer or securities intermediary with a certificate of the sheriff stating that the sheriff has the authority under this Act to make that endorsement, instruction or entitlement order and any subsequent endorsements, instructions and entitlement orders in respect of the same execution debt. 2006, c. 8, s. 143 (1).

**Section Amendments with date in force (d/m/y)**

[2006, c. 8, s. 143 (1)](http://www.ontario.ca/laws/statute/S06008" \l "s143s1) - 01/01/2007

Restrictions on transfer of seized security

Application

**16** (1)  This section applies if the interest of an execution debtor in a security is seized by a sheriff and the jurisdiction that governs the validity of the security under section 44 of the Securities Transfer Act, 2006 is Ontario. 2006, c. 8, s. 143 (1).

Sheriff bound by restriction

(2)  Subject to subsection (4), if the transfer of the seized security is restricted by the terms of the security, a restriction imposed by the issuer or a unanimous shareholder agreement governed by the law of Ontario, the sheriff is bound by the restriction. 2006, c. 8, s. 143 (1).

Person entitled to acquire or redeem seized security

(3)  Subject to subsection (4), if a person would otherwise be entitled to acquire or redeem the seized security for a predetermined price or at a price fixed by reference to a predetermined formula, that person is entitled to acquire or redeem the security. 2006, c. 8, s. 143 (1).

If restriction or entitlement is intended to defraud creditors or others

(4)  On application by the execution creditor or any interested person, if the Superior Court of Justice considers that a restriction on the transfer of the seized security or a person’s entitlement to acquire or redeem the seized security was made with intent to defeat, hinder, delay or defraud creditors or others, the court may make any order that the court considers appropriate regarding the seized security, including an order doing one or more of the following:

1. Directing the method or terms of sale of the seized security, or the method of realizing the value of the seized security other than through sale.

2. Directing the issuer to pay dividends, distributions or interest to the sheriff even though the sheriff is not the registered owner of the security.

3. Directing the issuer to register the transfer of the seized security to a person despite a restriction on the transfer of the security described in subsection (2) or the entitlement of another person to acquire or redeem the security described in subsection (3).

4. Directing that all or part of a unanimous shareholder agreement does not apply to a person who acquires or takes a seized security from the sheriff.

5. Directing that the issuer be dissolved and its proceeds disposed of according to law. 2006, c. 8, s. 143 (1); 2010, c. 16, Sched. 2, s. 3 (22).

Execution creditor may bring application for oppression remedy

(5)  The execution creditor may bring an application under section 248 of the Business Corporations Act as if he or she were a complainant under that section, whether or not an application is brought under subsection (4) of this section. 2006, c. 8, s. 143 (1); 2010, c. 16, Sched. 2, s. 3 (23).

Joined with application for oppression remedy

(6)  An application under subsection (4) may be joined with an application for an oppression remedy under section 248 of the Business Corporations Act. 2006, c. 8, s. 143 (1).

Transferee deemed party to shareholder agreement

(7)  Unless otherwise ordered by the court pursuant to subsection (4), a person who acquires or takes a seized security from the sheriff shall be deemed to be a party to any unanimous shareholder agreement regarding the management of the business and affairs of the issuer or the exercise of voting rights attached to the seized security to which the execution debtor was a party at the time of the seizure, if the unanimous shareholder agreement contains provisions intended to preclude the execution debtor from transferring the security except to a person who agrees to be a party to that unanimous shareholder agreement. 2006, c. 8, s. 143 (1).

Limitation

(8)  Despite subsection (7) and any provision in a unanimous shareholder agreement to the contrary, a person who acquires or takes a seized security from the sheriff is not liable to make any financial contribution to the corporation or provide any guarantee or indemnity of the corporation’s debts or obligations. 2006, c. 8, s. 143 (1).

Definition

(9)  In this section,

“seized security” means the interest of an execution debtor in a security that is seized. 2006, c. 8, s. 143 (1).

**Section Amendments with date in force (d/m/y)**

[2006, c. 8, s. 143 (1)](http://www.ontario.ca/laws/statute/S06008" \l "s143s1) - 1/01/2007

[2010, c. 16, Sched. 2, s. 3 (22, 23)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s22) - 25/10/2010

Rights under patent of invention

**17** (1)  All rights under letters patent of invention and any equitable or other right, property, interest or equity of redemption therein shall be deemed to be personal property and may be seized and sold under execution in like manner as other personal property, subject to such limitations as may be imposed under an Act of Parliament. 2010, c. 16, Sched. 2, s. 3 (24).

How seizable

(2)  A seizure and sale referred to in subsection (1) may be made by the sheriff after a writ of execution is filed with the sheriff against the property of the debtor who is the owner of or has an interest in the letters patent. 2010, c. 16, Sched. 2, s. 3 (24).

Notice of seizure

(3)  Notice of the seizure shall forthwith be sent to the office in which the right or interest is registered, and the interest of the debtor shall be bound from the time when the notice is received there. R.S.O. 1990, c. E.24, s. 17 (3); 2010, c. 16, Sched. 2, s. 3 (25).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (24, 25)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s24) - 25/10/2010

Seizure and sale of rights in chattels, etc.

**18** (1)  The sheriff may seize and sell any equitable or other right, property, interest or equity of redemption in or in respect of any goods, chattels or personal property, including leasehold interests in any land of the execution debtor, and, except where the sale is under an execution against goods issued out of the Small Claims Court, the sale conveys whatever equitable or other right, property, interest or equity of redemption the debtor had or was entitled to in or in respect of the goods, chattels or personal property at the time of the delivery of the execution to the sheriff for execution, and, where the sale is under an execution against goods issued out of the Small Claims Court, the sale conveys whatever equitable or other right, property, interest or equity of redemption the debtor had or was entitled to in or in respect of the goods, chattels or personal property at the time of the seizure. R.S.O. 1990, c. E.24, s. 18; 2010, c. 16, Sched. 2, s. 3 (26).

Sheriff to determine manner of sale

(2)  The sheriff may effect a sale referred to in subsection (1) in such manner as the sheriff considers appropriate in the circumstances. 2010, c. 16, Sched. 2, s. 3 (27).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (26, 27)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s26) **-** 25/10/2010

Seizure of money, negotiable instruments, book debts, etc.

Application

**19** (1)  This section does not apply in respect of the interest of an execution debtor in a security or security entitlement that is subject to seizure under section 14. 2010, c. 16, Sched. 2, s. 3 (28).

Right of seizure

(2)  The sheriff may seize money and banknotes belonging to an execution debtor and any of the following money and property:

1. At the request of the execution creditor, any surplus from a previous execution against the execution debtor.

2. Any instrument held by the execution debtor that is a negotiable instrument when in the possession of the sheriff.

3. Any instrument that is a mortgage referred to in section 23, a specialty or another security for money held by the execution debtor.

4. Accounts receivable held by the execution debtor and any other chose in action held by the execution debtor. 2010, c. 16, Sched. 2, s. 3 (28).

Legal action to collect

(3)  Subject to subsection (4), if, after seizure by the sheriff of property described in paragraph 2, 3 or 4 of subsection (2), the sheriff notifies the execution creditor that payment has not been made as required, the execution creditor may sue on behalf of the sheriff for the recovery of the amount payable. 2010, c. 16, Sched. 2, s. 3 (28).

Sale by sheriff

(4)  If the sheriff is of the opinion that an attempt to enforce payment would be less beneficial to creditors than a sale of the instrument, accounts receivable or chose in action, the sheriff may effect a sale in such manner as the sheriff considers appropriate in the circumstances. 2010, c. 16, Sched. 2, s. 3 (28).

Effect of payment

(5)  The payment to the sheriff of an amount by a person in respect of property described in paragraph 2, 3 or 4 of subsection (2) discharges that person from liability to pay that amount to the execution debtor. 2010, c. 16, Sched. 2, s. 3 (28).

**Section Amendments with date in force (d/m/y)**

[2006, c. 8, s. 143 (2)](http://www.ontario.ca/laws/statute/S06008" \l "s143s2) **-** 01/01/2007

[2010, c. 16, Sched. 2, s. 3 (28)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s28) **-** 25/10/2010

Execution of writ of seizure and sale

**20** (1)  A sheriff acting under a writ of seizure and sale, a writ of delivery or a writ of sequestration may use reasonable force to enter land and premises other than a dwelling where he or she believes, on reasonable and probable grounds, that there is property liable to be taken in execution under the writ and may use reasonable force to execute the writ. R.S.O. 1990, c. E.24, s. 20 (1).

Idem, dwelling

(2)  A sheriff acting under a writ of seizure and sale, a writ of delivery or a writ of sequestration in respect of property on premises that is used as a dwelling shall not use force to enter the dwelling or execute the writ except under the authority of an order of the court by which the writ was issued, and the court may make the order where in the opinion of the court there are reasonable and probable grounds to believe that there is property on the premises that is liable to be taken in execution under the writ. R.S.O. 1990, c. E.24, s. 20 (2).

Execution of writ of possession

**21** (1)  A sheriff acting under a writ of possession may use reasonable force to enter and take possession of the land and premises referred to in the writ. R.S.O. 1990, c. E.24, s. 21 (1).

Idem

(2)  In executing a writ of possession it is not necessary to remove personal property from the land and premises. R.S.O. 1990, c. E.24, s. 21 (2); 2010, c. 16, Sched. 2, s. 3 (29).

Application to court for directions

(3)  Where a question arises in relation to the measures to be taken by a sheriff or any person assisting the sheriff in carrying out a writ of possession, the sheriff or any interested person may apply to a judge of the Superior Court of Justice for directions. 2024, c. 2, Sched. 8, s. 3.

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (29)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s29) - 25/10/2010

[2024, c. 2, Sched. 8, s. 3](http://www.ontario.ca/laws/statute/S24002" \l "sched8s3) - 06/03/2024

Sheriff not required to seize personal property claimed by third parties

**22** Unless ordered to do so by a judge of the Superior Court of Justice, a sheriff is not required to seize personal property that is in the possession of a third person who is claiming it and that is not in the possession of the debtor against whose property the writ of execution was issued. 2010, c. 16, Sched. 2, s. 3 (30).

**Section Amendments with date in force (d/m/y)**

[2000, c. 26, Sched. A, s. 8 (9)](http://www.ontario.ca/laws/statute/S00026" \l "schedas8s9) - 6/12/2000

[2010, c. 16, Sched. 2, s. 3 (30)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s30) - 25/10/2010

Seizure of interest of mortgagee

**23** (1)  If an execution creditor is aware that the execution debtor holds a mortgage of real property that is registered, or that the debtor is entitled to receive a sum of money secured by a charge on real property that is a registered instrument, the execution creditor may provide the sheriff with a written direction to seize the mortgage or the debtor’s rights under the instrument and such other information as is necessary to enable the sheriff to give a notice to the land registrar in whose office the mortgage or instrument is registered that the sheriff is seizing and taking in execution all of the estate, right, title and interest of the execution debtor under the mortgage or instrument. 2010, c. 16, Sched. 2, s. 3 (31).

Effect of registration of sheriff’s notice to registrar

(2)  On registration of the notice,

(a) the rights and interest of the execution debtor under the mortgage or instrument in the real property to which it relates and in the debt secured by the mortgage or charge are bound by the execution;

(b) notice of the execution and seizure is deemed to be given to all persons who may in any way subsequently acquire an interest in the mortgage, in the real property, in the debt secured by the mortgage or charge or in the covenants in the mortgage or charge for securing payment; and

(c) subject to section 24, the rights of the sheriff and of the execution creditor have priority over the rights of all persons referred to in clause (b) as regards the mortgagor or person liable to pay the money secured by the mortgage or charge. 2010, c. 16, Sched. 2, s. 3 (31).

**Section Amendments with date in force (d/m/y)**

[2000, c. 26, Sched. A, s. 8 (10)](http://www.ontario.ca/laws/statute/S00026" \l "schedas8s10) - 6/12/2000

[2010, c. 16, Sched. 2, s. 3 (31)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s31) - 25/10/2010

Notice to mortgagor

**24** (1)  On registration of the notice referred to in section 23, the sheriff shall serve a notice of the seizure on the mortgagor. 2010, c. 16, Sched. 2, s. 3 (32).

Service

(2)  A notice under subsection (1) may be served,

(a) by personal service;

(b) by leaving a copy of the notice with a person who appears to be an adult at the last known address of the person to be served; or

(c) by sending a copy of the notice by registered mail to the last known address of the person to be served. 2010, c. 16, Sched. 2, s. 3 (32).

Payment to the sheriff

(3)  After being served with a notice under subsection (1), the mortgagor shall pay to the sheriff,

(a) any amount then payable but not yet paid by the mortgagor to the execution debtor; and

(b) all amounts as and when they would otherwise become due by the mortgagor to the execution debtor, until advised by the sheriff that the execution has been satisfied. 2010, c. 16, Sched. 2, s. 3 (32).

Valid discharge

(4)  Payment by the mortgagor to the sheriff of the amounts payable under the mortgage or other instrument is a valid discharge as against the execution debtor for the amounts paid. 2010, c. 16, Sched. 2, s. 3 (32).

Payment made after notice to mortgagor

(5)  Any payment made by the mortgagor under the seized mortgage or the instrument to the execution debtor after receiving the notice under subsection (1) or at a time when the mortgagor had actual knowledge of the seizure is void as against the sheriff and the execution creditor. 2010, c. 16, Sched. 2, s. 3 (32).

Definition

(6)  In this section,

“mortgagor” includes a person who is liable to pay money secured by a mortgage or charge. 2010, c. 16, Sched. 2, s. 3 (32).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (32)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s32) - 25/10/2010

Enforcing mortgage

**25** In addition to the remedies provided in this Act, the execution creditor has the same rights as a mortgagee in respect of a seized mortgage, including any right to bring an action on the mortgage or other instrument seized under this Act for the sale or foreclosure of the real property subject to the mortgage or charge. 2010, c. 16, Sched. 2, s. 3 (33).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (33)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s33) - 25/10/2010

Seizure continues until writ expires, etc.

**26** (1)  When the rights of a debtor under a mortgage or other instrument are seized under section 23, the seizure,

(a) continues in effect until the writ of execution expires or is withdrawn; and

(b) is deemed to be vacated when the writ of execution expires or is withdrawn. 2010, c. 16, Sched. 2, s. 3 (34).

Vacating the seizure

(2)  On receipt of a written direction from an execution creditor or on the order of the court, the sheriff or the execution creditor shall prepare and give to the execution debtor or another interested person a certificate in a form approved by the Attorney General which, upon registration, vacates the seizure. 2010, c. 16, Sched. 2, s. 3 (34).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (34)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s34) - 25/10/2010

Taking security interests in personal property in execution

**27** (1)  Where an execution debtor is a secured party and the security interest is perfected by registration under the Personal Property Security Act, upon payment of the proper fees, a sheriff may seize the security interest by registering a financing change statement under that Act in the form prescribed thereunder recording the seizure of the security interest and the sheriff, after registering the financing change statement, may sell the execution debtor’s security interest. R.S.O. 1990, c. E.24, s. 27 (1).

Effect of registration

(2)  Upon the registration of the financing change statement referred to in subsection (1), the security interest of the execution debtor is bound by the execution, and the registration is notice of the execution and seizure to all persons who may thereafter acquire an interest in the security agreement or the property subject to the security interest and the rights of the sheriff and the execution creditor have priority over the rights of all persons who subsequently acquire an interest in the security agreement. R.S.O. 1990, c. E.24, s. 27 (2).

Service of notice on debtor

(3)  The debtor under a security agreement is not affected by a seizure under this section unless a notice of the seizure has been served upon the debtor, and any payment made by the debtor under the security agreement to the secured party before such service shall be valid. R.S.O. 1990, c. E.24, s. 27 (3).

Payment to sheriff

(4)  After the debtor has been served with a notice of seizure under subsection (3), the debtor shall pay to the sheriff all money then payable and, as it becomes due, all money that may become payable under the security agreement so far as may be necessary to satisfy the execution. R.S.O. 1990, c. E.24, s. 27 (4).

Payments made after notice

(5)  Any payment made to the secured party after service of the notice of seizure under subsection (3) or after actual knowledge of the seizure is void as against the sheriff and the execution creditor. R.S.O. 1990, c. E.24, s. 27 (5); 2010, c. 16, Sched. 2, s. 3 (35).

When seizure no longer effective

(6)  Where a financing change statement has been registered under subsection (2) and the execution has expired or is satisfied, set aside or withdrawn, the sheriff shall register a financing change statement under the Personal Property Security Act in the form prescribed thereunder recording the fact that the seizure of the security interest is no longer effective. R.S.O. 1990, c. E.24, s. 27 (6).

Rights and remedies of sheriff

(7)  In addition to the remedies provided in this Act, upon seizure of the security interest, the sheriff has all the rights and remedies of the execution debtor under the security agreement and the Personal Property Security Act, and the sheriff is entitled to a bond of indemnity sufficient to indemnify against all costs and expenses to be incurred by the sheriff in the enforcement of the security agreement. R.S.O. 1990, c. E.24, s. 27 (7).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (35)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s35) - 25/10/2010

Lands subject to mortgage

**28** (1)  Where the word “mortgagor” occurs in this section, it shall be read and construed as if the words “the mortgagor’s heirs, executors, administrators or assigns, or person having the equity of redemption” were inserted immediately after the word “mortgagor”. R.S.O. 1990, c. E.24, s. 28 (1).

Interest of a mortgagor

(2)  The sheriff to whom an execution against the lands and tenements of a mortgagor is directed may seize, sell and convey all the interest of the mortgagor in any mortgaged lands and tenements. R.S.O. 1990, c. E.24, s. 28 (2).

Equity of redemption

(3)  The equity of redemption in freehold land is saleable under an execution against the lands and tenements of the owner of the equity of redemption in the owner’s lifetime, or in the hands of the owner’s executors or administrators after the owner’s death, subject to the mortgage, in the same manner as land and tenements may now be sold under an execution. R.S.O. 1990, c. E.24, s. 28 (3).

Selling lands subject to more than one mortgage in execution

(4)  Where more mortgages than one of the same lands have been made to the same mortgagee or to different mortgagees, subsections (2) and (3) apply, and the equity of redemption is saleable under an execution against the lands and tenements of the owner, subject to the mortgages, in the same manner as in the case of land subject to one mortgage only. R.S.O. 1990, c. E.24, s. 28 (4).

Effect of sale

(5)  The effect of the seizure or taking in execution, sale and conveyance of mortgaged lands and tenements is to vest in the purchaser, the purchaser’s heirs and assigns, all the interest of the mortgagor therein at the time the execution was placed in the hands of the sheriff, as well as at the time of the sale, and to vest in the purchaser, the purchaser’s heirs and assigns, the same rights as the mortgagor would have had if the sale had not taken place, and the purchaser, the purchaser’s heirs or assigns, may pay, remove or satisfy any mortgage, charge or lien that at the time of the sale existed upon the lands or tenements so sold in like manner as the mortgagor might have done, and thereupon the purchaser, the purchaser’s heirs and assigns, acquire the same estate, right and title as the mortgagor would have acquired in case the payment, removal or satisfaction had been effected by the mortgagor. R.S.O. 1990, c. E.24, s. 28 (5).

Effect of purchase by mortgagee or execution creditor

(6)  A mortgagee of land, or the executors, administrators or assigns of a mortgagee, being or not being the execution creditor, may be the purchaser at the sale and acquire the same estate, interest and rights thereby as any other purchaser, but in that event the mortgagee or the executors, administrators or assigns of the mortgagee shall give to the mortgagor a release of the mortgage debt, and if another person becomes the purchaser, and, if the mortgagee, the mortgagee’s executors, administrators or assigns enforce payment of the mortgage debt by the mortgagor, the purchaser shall repay the debt and interest to the mortgagor, and, in default of payment thereof within one month after demand, the mortgagor may recover the debt and interest from the purchaser, and has a charge therefor upon the mortgaged land. R.S.O. 1990, c. E.24, s. 28 (6).

Contingent interests liable to execution

**29** (1)  Any estate, right, title or interest in land which, under section 10 of the Conveyancing and Law of Property Act, may be conveyed or assigned by any person, or over which the person has any disposing power that the person may, without the assent of any other person, exercise for the person’s benefit, is liable to seizure and sale under execution against such person in like manner and on like conditions as land is by law liable to seizure and sale under execution, and the sheriff selling it may convey and assign it to the purchaser in the same manner and with the same effect as the person might have done. R.S.O. 1990, c. E.24, s. 29 (1).

Property subject to power of appointment

(2)  Property over which a deceased person had a general power of appointment exercisable for his or her own benefit without the assent of any other person where it is appointed by his or her will may be seized and sold under an execution against the personal representative of such deceased person after the property of the deceased has been exhausted. R.S.O. 1990, c. E.24, s. 29 (2).

**30** Repealed: 2010, c. 16, Sched. 2, s. 3 (36).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (36)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s36) - 25/10/2010

Execution against partner

**31** Under an execution against a partner in his or her personal capacity, partnership assets shall not be taken in execution, but an order may be made appointing a receiver of the partner’s share of profits whether already declared or accruing and of any other money that may be coming to him or her in respect of the partnership. R.S.O. 1990, c. E.24, s. 31.

How execution enforceable against executor, etc.

**32** The title and interest of a testator or intestate in land may be seized and sold under an execution upon a judgment recovered by a creditor of the testator or intestate against his or her executor or administrator in the same manner and under the same process as upon a judgment against the deceased if he or she were living. R.S.O. 1990, c. E.24, s. 32.

**33** Repealed: 2010, c. 16, Sched. 2, s. 3 (37).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (37)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s37) - 25/10/2010

Jurisdiction of sheriff on annexation

**34** (1)  The following rules apply when an area of real property in a county or district is annexed for judicial purposes to an adjoining county or district:

1. Subject to section 136 of the Land Titles Act, all writs of execution filed with the sheriff for the county or district to which the area is annexed that are still in force at the time of the annexation bind the real property in the annexed area from the effective date of the annexation until the execution expires or is withdrawn.

2. The annexed area is deemed to remain in the jurisdiction of the sheriff for the county or district of which the area was formerly a part in respect of each writ of execution that, at the time of the annexation, has been filed with that sheriff until the writ is withdrawn, expires or is renewed.

3. A sheriff referred to in paragraph 1 or 2 shall not take any steps to seize and sell real or personal property of an execution debtor in the annexed area until he or she notifies the other sheriff of the proposed action.

4. A sheriff who receives a notice under paragraph 3 shall forward to the sheriff executing the writ a certified copy of each writ of execution against the debtor,

i. that has been filed and is still in force, if the sheriff that is notified is the sheriff for the county or district to which the area is annexed, or

ii. that was filed before the annexation and is still in force, if the sheriff that is notified is the sheriff for the county or district of which the area was formerly a part.

5. A certified copy of a writ of execution received by a sheriff under paragraph 4 is deemed to be a writ of execution directed to the sheriff and filed with the sheriff on the date the sheriff receives the copy.

6. On receipt of a certified copy of a writ of execution under paragraph 4, the sheriff shall comply with subsection 136 (1) of the Land Titles Act as if the copy were a writ filed with him or her. 2010, c. 16, Sched. 2, s. 3 (38).

Liens for bail

(2)  Subsection (1) applies to liens for bail under the Bail Act against real property in the annexed area to which the Registry Act applies in the same manner as if the certificates of lien for bail were writs of execution, except that a lien of which a certificate was delivered to the sheriff of the county or district of which the annexed area was formerly part shall expire three years after the annexation takes effect unless it is sooner discharged or a certificate is delivered to the sheriff in whose jurisdiction the real property is situate after the annexation. 2010, c. 16, Sched. 2, s. 3 (38).

Creation of regional or district municipalities or counties

(3)  For the purposes of subsection (1), if a regional or district municipality or a county is created, the real property in it is deemed to be annexed to the regional or district municipality or county. 2010, c. 16, Sched. 2, s. 3 (38).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (38)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s38) - 25/10/2010

Regulations

**35** (1)  The Lieutenant Governor in Council may make regulations,

(a) prescribing amounts for the purposes of paragraph 2, 3, 4 or 5 of subsection 2 (1) or subsection 2 (2);

(b) prescribing rules and procedures governing the process for seizing and selling property that is not exempt from seizure and the process for selecting and valuing property that is exempt from seizure, including,

(i) procedures by which a debtor may select property that is exempt from seizure to be retained by the debtor and time limits for making such selections,

(ii) procedures governing the valuation process of personal property that is exempt from seizure, including rules governing when a valuation is necessary, time limits for carrying out such valuations and submitting the valuation report to the sheriff and the debtor and procedures for involving the debtor in the valuation process,

(iii) procedures to be followed if the personal property selected by the debtor is within the exemption amount or exceeds the exemption amount,

(iv) rules governing the qualifications or expertise of persons who perform valuations, requirements that must be satisfied for a person to be eligible to act as a valuator and rules governing the cost of and the payment for valuations,

(v) procedures to be followed if the debtor objects to the valuation. 2010, c. 16, Sched. 2, s. 3 (39); 2023, c. 9, Sched. 13, s. 2 (1).

Five-year intervals

(2)  Regulations under clause (1) (a) may be made once in the year 2005 and once in each year thereafter that is divisible by five. 2000, c. 26, Sched. A, s. 8 (11); 2010, c. 16, Sched. 2, s. 3 (40).

Change in Consumer Price Index to be considered

(3)  In making a regulation under clause (1) (a), the Lieutenant Governor in Council shall consider the percentage change that has taken place in the Consumer Price Index for Canada for prices of all items since the last time amounts were prescribed for the purposes of paragraphs 2, 3, 4 and 5 of subsection 2 (1) and subsection 2 (2). 2010, c. 16, Sched. 2, s. 3 (41); 2023, c. 9, Sched. 13, s. 2 (2).

**Section Amendments with date in force (d/m/y)**

[2000, c. 26, Sched. A, s. 8 (11)](http://www.ontario.ca/laws/statute/S00026" \l "schedas8s11) - 15/04/2001

[2006, c. 19, Sched. B, s. 6 (3, 4)](http://www.ontario.ca/laws/statute/S06019" \l "schedbs6s3) - 22/06/2006

[2010, c. 16, Sched. 2, s. 3 (39-41)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s39) - 25/10/2010

[2023, c. 9, Sched. 13, s. 2 (1, 2)](http://www.ontario.ca/laws/statute/S23009" \l "sched13s2s1) - 08/06/2023

Forms

**36** The Attorney General may approve the use of forms for any purpose of this Act, specify the procedure for the use of the forms and require their use for any purpose of this Act. 2010, c. 16, Sched. 2, s. 3 (42).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (42)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s42) - 25/10/2010

Application of *Creditors’ Relief Act, 2010*

**37** The money and proceeds from property received by a sheriff under an execution or as a result of executing a writ of execution shall be applied and distributed by the sheriff in accordance with the Creditors’ Relief Act, 2010. 2010, c. 16, Sched. 2, s. 3 (42).

**Section Amendments with date in force (d/m/y)**

[2010, c. 16, Sched. 2, s. 3 (42)](http://www.ontario.ca/laws/statute/S10016" \l "sched2s3s42) - 25/10/2010

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