



Ontario

Ministry of  
Consumer and  
Commercial  
Relations

Property  
Rights  
Division

Legal  
and  
Surveys  
Standards  
Branch

BULLETIN NO. 81028

DATE: November 26, 1981

TO:  
ALL LAND REGISTRARS

Registry Act, R.S.O. 1980,  
c. 445, section 106

Notice of Claim and  
Affidavit in Support

Ontario Regulation 512/81, amending Regulation 777 of Revised Regulations of Ontario, 1970, came into force on August 1, 1981, upon proclamation of the Registry Amendment Act, 1981. It provides a new form of Notice of Claim under section 106 of the Registry Act, R.S.O. 1980, c. 445, formerly section 112 of The Registry Act, R.S.O. 1970, c. 409. A form of affidavit in support of Notice of Claim is also prescribed. The Notice of Claim is solely for the purpose of protecting a claim that would otherwise expire under section 106 of the Registry Act, and should not be used for any other purpose. For your assistance, Ontario Regulation 512/81 is reproduced on page 2.

Robert S.K. Gibson  
Solicitor

THE REGISTRY ACT

O. Reg. 512/81.  
Forms and Records.  
Made—July 22nd, 1981.  
Filed—July 29th, 1981.

REGULATION TO AMEND  
REGULATION 777 OF  
REVISED REGULATIONS OF ONTARIO, 1970  
MADE UNDER THE  
REGISTRY ACT

1. Regulation 777 of Revised Regulations of Ontario, 1970, is amended by adding thereto the following section:

27.—(1) A notice of Claim registered under subsection 112 (2) of the Act shall be in Form 27.

(2) An affidavit in support of a Notice of Claim under subsection 112 (2) of the Act shall be in Form 28. O. Reg. 512/81, s. 1.

2. The said Regulation is further amended by adding thereto the following Forms:

Form 27

Registry Act

NOTICE OF CLAIM

NOTICE is hereby given by .....

(or on behalf of .....)  
under subsection 112 (2) of the *Registry Act* of a

claim under instrument No. ...., dated

the ..... day of ....., 19...., and

registered the ..... day of .....,

19...., on the following land:

(Set out description of the land sufficient for registration. Where the land has been subdivided by a registered plan of subdivision or any other registered plan by which lots were created, the description of the land in this notice must refer to the plan).

The particulars of the claim are as follows:

The address for service of the claimant is .....

.....

Dated .....

Signature of claimant .....  
(or solicitor or agent)  
Name of claimant .....  
(or solicitor or agent  
and claimant) .....

O. Reg. 512/81, s. 2, part.

Form 28

Registry Act

AFFIDAVIT IN SUPPORT OF  
NOTICE OF CLAIM UNDER  
SUBSECTION 112 (2) OF THE ACT

I, ..... of the .....  
of ....., in the .....  
of ..... make oath and say:

1. I am the claimant (or the solicitor or agent for the claimant) whose claim is more particularly described in the attached Notice of Claim.

2. The particulars of the claim as set out in the attached Notice of Claim are true and subsisting and the claim and the time for registering a Notice

of Claim under subsections 112 (2) and (3) of the *Registry Act* have not expired.

Sworn before me

at the .....  
of .....  
in the .....  
of .....  
this ..... day of  
....., 1981.

A Commissioner, etc.

O. Reg. 512/81, s. 2, part.

3. This Regulation comes into force on the day that section 4 of the *Registry Amendment Act, 1981* is proclaimed to come into force. O. Reg. 512/81, s. 3.

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