

**Supreme Court of Prince Edward Island
Small Claims Section**

**Affidavit for Enforcement Request
Form 20J**

[Claim No]

Plaintiff No. 1

Plaintiff No. 2 (if applicable)

Full name	Full Name
Address for Service	Address for Service
Phone No. Fax No. (If any)	Phone No. Fax No. (If any)
Plaintiff's Lawyer/Agent (Full Name)	Plaintiff's Lawyer/Agent (Full Name)
Lawyer/Agent's Address for Service	Lawyer/Agent's Address for Service
Lawyer/Agent's Phone No. Fax No. (If any) E-Mail Address (Optional)	Lawyer/Agent's Phone No. Fax No. (If any) E-Mail Address (Optional)

Defendant No. 1

Defendant No. 2 (if applicable)

Full name	Full Name
Address for Service	Address for Service
Phone No. Fax No. (If any)	Phone No. Fax No. (If any)
Defendant's Lawyer/Agent (Full Name)	Defendant's Lawyer/Agent (Full Name)
Lawyer/Agent's Address for Service	Lawyer/Agent's Address for Service
Lawyer/Agent's Phone No. Fax No. (If any) E-Mail Address (Optional)	Lawyer/Agent's Phone No. Fax No. (If any) E-Mail Address (Optional)

NOTE TO CREDITOR: TO OBTAIN A WRIT OF SEIZURE AND SALE OF LAND (Form 20D), complete an Affidavit for Writ of Seizure and Sale of Land (Form 20O). To obtain forms and self-help materials, attend the nearest Small Claims Court or access the following website: www.gov.pe.ca.

My name is : _____
(Full name)

I live in _____
(Municipality and province)

and I swear/affirm that the following is true:

1. In this action, I am the
____ creditor
____ representative of the creditor(s) _____
(Name of creditor)

2. An order for the delivery of the following person property:

(According to the court order, set out description of the property to be delivered. Identify any marks or serial #s

was made in this action against:

(Name of person against whom the order was made)

on _____, 20____, in the Prince Edward Island Small Claims Court. Since the above listed personal property has not been delivered, I make this affidavit in support of a request that the clerk of the court issue a Writ of Delivery (Form 20B) to the bailiff of the Prince Edward Island Small Claims Court.

3. A judgment was made in this action against _____
(Name of debtor)

on _____, 20____ in the Prince Edward Island Small Claims Court for the following sums:

(A) **DEBT** (amount of judgment) \$ _____

(B) **PRE-JUDGMENT INTEREST** calculated on the sum of \$ _____ at the rate of _____% per annum from _____, 20____ to _____, 20____ being _____ days \$ _____

(C) **COSTS** to date of judgment \$ _____

SUBTOTAL \$ _____

[Claim No]

(D) **TOTAL AMOUNT OF PAYMENTS RECEIVED FROM DEBTOR**
after judgment (if any) minus \$ _____

(E) **POST-JUDGMENT INTEREST** to date calculated
on the sum of \$ _____ at the rate of _____ %
per annum from _____, 20____ to _____, 20____
being _____ days \$ _____

NOTE: Calculation of interest is always on the amount owing from time to time as payments are received. This is true for both pre-judgment and post-judgment interest. Attach a separate sheet setting out how you calculated the total amount of any pre/post-judgment interest.

(F) **SUBSEQUENT COSTS** incurred after judgment (including the cost \$ _____
of issuing the requested enforcement(s))
Subsequent post-judgment interest continues to accrue at \$ _____ per day.

If further payments are received from debtor, the per diem may need to be re-calculated.

(This figure must match the total figure identified in the enforcement process(es).)

TOTAL DUE \$ _____

I make this affidavit in support of a request that the clerk of the court issue the following enforcement process(es):

(Strike out any section that does not apply and initial)

- _____ Certificate of Judgment (Form 20A) to the clerk of the Prince Edward Island Small Claims Court.
- _____ Writ of Seizure and Sale of Personal Property (Form 20C) directed to Sheriff Services.
- _____ Notice of Garnishment (Form 20E).

I believe that the garnishee _____
(Name of garnishee)

at _____ is indebted to the debtor or
(Address of garnishee)

will become indebted to the debtor for the following reasons:

The Notice of Garnishment will be served on the debtor _____
(Name of debtor)

at _____
(Address of debtor for service)

within five days of serving it on the garnishee.

_____ Notice of Examination (Form 20H)

_____ Other (set out the nature of your request): _____

SWORN/AFFIRMED before me at
the City/Town of _____, in the
County of _____, Province of
Prince Edward Island, this _____ day of
_____, 20____.

A COMMISSIONER FOR TAKING
AFFIDAVITS

(Signature)
(This form is to be signed in front of a lawyer,
justice of the peace, notary public or
commissioner for taking affidavits)

WARNING: IT IS AN OFFENCE UNDER THE *CRIMINAL CODE* TO KNOWINGLY SWEAR OR AFFIRM A FALSE AFFIDAVIT.