

The Enforcement of Money Judgments Act
[Subsection 110(5)]

WRITTEN DEMAND TO PROVE CLAIM

JUDGMENT # _____, SHERIFF FILE # _____ -

(judgment creditor name) v (judgment debtor name)

CLAIMANT _____
(claimant's name)

JUDGMENT DEBTOR(S) _____
(judgment debtor name)

Pursuant to an enforcement instruction provided by a judgment creditor, the Sheriff has seized the following property of the above named Judgment Debtor:

that has resulted in a fund in the amount of \$_____.

As you have a registered interest in the Judgment Debtor's property that may entitle you to make a claim against this fund, Saskatchewan Personal Property Registration # _____, the Sheriff HEREBY DEMANDS that you complete the attached affidavit and provide therein the following information:

- The basis of your claim;
- The amount remaining owing in respect of the claim;
- The factual basis for any priority claimed in the distribution of money in the fund.
- (Where the claimant is an enforcing judgment creditor) Any amount paid on account of the judgment other than amounts paid to the sheriff, that were paid after the delivery of an enforcement instruction related to that judgment, to the sheriff.

TAKE NOTICE THAT a claimant who fails to return the completed Affidavit of Claim to the Sheriff within 10 days after the service of this demand, is presumed to have waived a right to share in the distribution of the fund to which the demand relates.

DATED at _____, Saskatchewan _____
(city, town, village) (province)

This _____ day of _____, 20_____
(day of month) (month) (year)

(Signature of sheriff)

(sheriff name)

Judicial Centre of _____, (306) _____ - _____
_____, _____ SK _____
(address) (city) (postal code)

AFFIDAVIT OF CLAIM

I _____ of _____, Saskatchewan
(print full name) (city/town/village)
make oath (or affirm) and say:

1. I am the above named:

- ☐ Claimant
☐ Or the duly authorized agent of the enforcing judgment creditor or claimant

in this matter and have a personal knowledge of the matter deposed to in this document

2. The basis of the claimant's claim against the property of the judgment debtor that gave rise to the fund is:

- ☐ Judgment registered in the Judgment Registry;
☐ Security Agreement dated _____ and registered in the personal property registry on the ____ day of _____, 20 ____ (copy attached)
☐ Lien pursuant to _____
(describe Act or other legal basis for lien claim)
☐ Other: _____
(describe)

3. The above named Judgment Debtor is indebted to the claimant in respect of the above described claim in the amount of \$ _____ as of the date of this affidavit.

4. The following are the particulars of the claimant's claim, including the facts that entitle the claimant to claim an interest in the fund, whether a priority to the fund is claimed and the basis for that priority:

(In the case of security agreement, attach a copy of the Security Agreement as Exhibit A, and include other relevant facts including whether the judgment debtor is in default of the terms of the agreement or why the secured party is otherwise entitled to realize on its security.)

5. (Where the claimant is an enforcing judgment creditor) The following amount has previously been paid in full or partial satisfaction of an amount recoverable after an enforcement instruction relating to the judgment has been given to the sheriff: \$ _____. *(Attach details of the dates and amounts of payments made in full or partial satisfaction of your judgment.)*

6. That I make this affidavit in support of the claim made pursuant to subsection 110(5) of *The Enforcement of Money Judgments Act*.

SWORN (or AFFIRMED) BEFORE ME

at the _____ of _____
in the Province of Saskatchewan,
this _____ day
of _____, 20 ____.

A Commissioner for Oaths
for Saskatchewan.

My appointment expires _____

(signature)

(printed name)

(address for service)

() -
(telephone number)

(email)

Should you wish to claim priority in the distribution of money in the fund, this completed affidavit must be returned to the Sheriff at the address below within 10 days of service of the written demand by the Sheriff.

(sheriff name)

Judicial Centre of _____

_____, _____ SK _____
(address) (city) (postal code)

ADDRESS FOR SERVICE (optional)

All future notices or documents related to the enforcement of this judgment may be served upon me at the following address in the following manner:

By regular mail at: _____
(street address or box number)

(City) (province) (postal code)

By email at: _____@_____

By fax to: _____ () _____
(name) (fax number)

(Signature of judgment debtor)