

**MODEL ESTABLISHED BY THE MINISTER OF JUSTICE**

*(Compulsory header. Cite the relevant article/sections)*

**NOTICE OF EXECUTION**  
(articles 516, 520, 681 and 682 C.C.P.)

**SECTION I – IDENTIFICATION OF RECORD**

*(Compulsory indication)*

**Initial notice of execution**

**Filed in the office of the court under record number:** \_\_\_\_\_

**in the district of** \_\_\_\_\_ *(Only one record number may be entered)*

*(Add the other record numbers concerned by the initial notice of execution, if applicable)*

**Other record numbers concerned:** \_\_\_\_\_

*(Include this information if the notice of execution is amended)*

**Notice of execution amended on** \_\_\_\_\_ **– read Section VI**

*(Indicate the date of the last amendment)*

*(If the notice is amended to add other records, indicate the record numbers)*

**Other record numbers concerned:** \_\_\_\_\_

**SECTION II – IDENTIFICATION OF PARTIES**

*(Identify the seizer, the person against whom execution measures are taken, the executing bailiff and, if applicable, the garnishee)*

**Seizer(s)**

**Record number** \_\_\_\_\_

\_\_\_\_\_  
*(name of seizer)*

\_\_\_\_\_  
*(address)*

*(Add the contact information for the other seizers in the same case, if applicable)*

*(If several judgments are executed by means of the notice of execution, add the record numbers concerned and the contact information for the seizers)*

**Person against whom execution measures are taken**

\_\_\_\_\_  
*(name of the person against whom execution measures are taken)*

\_\_\_\_\_  
*(address)*

**Bailiff**

\_\_\_\_\_  
*(name of the executing bailiff)*

\_\_\_\_\_  
*(name of firm)*

\_\_\_\_\_  
*(address)*

\_\_\_\_\_  
*(telephone)*

\_\_\_\_\_  
*(fax)*

\_\_\_\_\_  
*(E-mail)*

**Garnishee**

\_\_\_\_\_

(name of garnishee)

\_\_\_\_\_

(address)

(Add the contact information for other garnishees, if applicable)

**SECTION III – NOTICE TO THE PERSON AGAINST WHOM EXECUTION MEASURES ARE TAKEN**

(Compulsory indication)

**The executing bailiff has received instructions to proceed with execution measures.**

(Select the boxes that apply)

**SEIZURE BEFORE JUDGMENT**

The affidavit of the seizer requesting the seizure before judgment is attached to the notice of execution. It affirms the existence of the claim and the facts justifying the seizure.

The property seized is under the judicial authority during the proceedings. It is entrusted to a third person, except if the seizer authorizes the bailiff to leave it in your custody.

By giving a sufficient guarantee to the bailiff, you may

- prevent the property being entrusted to a third person;
- obtain release of seizure; or
- obtain the return of the seized property.

You may ask the court to quash the seizure before judgment within **five days** after service of the notice of execution, in accordance with article 522 C.C.P.

You may also oppose the seizure within **15 days** after notification of the minutes of seizure or the seizure in the hands of a third person, in accordance with articles 735 and 736 C.C.P.

In the case of seizure in the hands of a third person, you may contest the garnishee's declaration within **10 days** after it is made, in accordance with article 711 C.C.P.

**FORCED EXECUTION OF A JUDGMENT**

You have failed to execute, voluntarily, a judgement rendered against you.

You may make an agreement with the bailiff to make regular payments in satisfaction of the judgment. The agreement must be approved by the creditor. The instalments cannot be spread over more than one year.

You may obtain release of seizure by paying the amount you are ordered to pay in the judgment, including execution costs.

You may oppose the execution measure taken against you within **15 days** after notification of the minutes of seizure, the notice of sale or the seizure in the hands of a third person, in accordance with articles 735 and 736 C.C.P.

In the case of seizure in the hands of a third person, you may contest the garnishee's declaration within **10 days** after it is made, in accordance with article 711 C.C.P.

*(Compulsory indication)*

**You are required to provide the bailiff with all the information needed to identify you, including your date of birth.**

**You are also required to inform the bailiff of your patrimonial situation, in particular by providing a list of**

- **all creditors who could join in the execution of a judgment and be included in the notice of execution in the course of the year;**
- **all creditors holding a hypothec on the seized property;**
- **all the creditors having a right to revendicate the seized property.**

## **SECTION IV –CONCLUSIONS OF THE JUDGMENT**

*(Complete this section in the case of the forced execution of a judgment or when a judgment settles a seizure before judgment, for each record concerned, if applicable)*

*(Compulsory indication)*

**Judgment**

**Record number:** \_\_\_\_\_

*(Select the box containing the conclusions that apply)*

The seizer obtained a judgment against you on \_\_\_\_\_ that orders you to pay the following amounts:

Amount of the judgment \$ \_\_\_\_\_

Interest \$ \_\_\_\_\_ at the rate of \_\_\_\_ % per year, beginning on \_\_\_\_\_  
 and, if applicable, the additional indemnity

Legal costs \$ \_\_\_\_\_

Interest on legal costs \$ \_\_\_\_\_ at the legal rate beginning on \_\_\_\_\_

Costs after judgment \$ \_\_\_\_\_

Interest on costs after judgment \$ \_\_\_\_\_

Cost of this notice of execution \$ \_\_\_\_\_

Partial execution \$ \_\_\_\_\_ (enter the amount of the partial execution with the sign (-))

**Total \$ \_\_\_\_\_**

The professional fees and other expenses of the bailiff for the execution of this notice of execution will be added.

The seizer obtained a judgment against you on \_\_\_\_\_ that orders you to

*(Select the statements that apply)*

leave or surrender, for the benefit of the seizer, the premises described as follows in the judgment:

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remit, deliver or surrender to the seizer the property described as follows in the judgment:

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## SECTION V – EXECUTION MEASURES:

*(Compulsory indication)*

**The instructions received order the following execution measures:**

*(Select the box containing the execution measures that apply)*

### SEIZURE OF THE MOVABLE PROPERTY OF PERSON AGAINST WHOM EXECUTION MEASURES ARE TAKEN

*(Select the statements that apply)*

Seizure of all movable property.

Seizure of the movable property specified in the instructions and described as follows:

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Seizure, by notification of the notice of execution to the Société de l'assurance automobile du Québec (SAAQ), of the road vehicle registered and identified as follows:

Licence plate number	Vehicle identification number	Model	Year

From the date of this notification, the registration may not be transferred unless the SAAQ is informed by the bailiff that release of seizure has been granted.

### SEIZURE OF IMMOVABLE PROPERTY BELONGING TO THE PERSON AGAINST WHOM EXECUTION MEASURES ARE TAKEN

Seizure of the immovable property specified in the instruction and described as follows (designated in accordance with the rules of the C.C.Q. and by municipal address) :

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You, the PERSON AGAINST WHOM EXECUTION MEASURES ARE TAKEN, have **two months** from the seizure to sell the seized immovable by agreement unless it is hypothecated. You must obtain the bailiff's approval before concluding the sale.

If you renounce this right or fail to exercise it within the time limit, the bailiff may proceed with the sale of the property.

**SEIZURE OF PROPERTY IN THE HANDS OF THIRD PERSONS THAT BELONGS TO A PERSON AGAINST WHOM EXECUTION MEASURES ARE TAKEN OR THAT IS SPECIFIED IN THE INSTRUCTIONS**

You, the GARNISHEE, are bound to declare to the bailiff the amount, cause and terms of your current or potential indebtedness to \_\_\_\_\_ at \_\_\_\_\_  
(name of the party concerned)  
the time the declaration is made. You have **10 days** from the service of the notice of execution to make your declaration.

You must provide with the declaration a detailed statement of the property of \_\_\_\_\_ that is in your possession, specifying under what title the property is held. (name of the party concerned)

You must also disclose any seizures made in your hands of income, sums of money or property belonging to \_\_\_\_\_.  
(name of the party concerned)

*(Select the statements that apply)*

If the seizure concerns the **income** of the person against who execution measures are taken, you are required to remit to the bailiff the seizable portion of what you owe to the person. You have **10 days** from the service of the notice of execution to remit the amount.

If the seizure concerns **sums of money** that you owe to \_\_\_\_\_ or **property** of \_\_\_\_\_ in your possession,  
(name of the party concerned) (name of the party concerned)  
you are required to deliver them to the bailiff if the bailiff so requests or if a clerk orders you to do so. At the bailiff's request, you are also required to provide all relevant documents relating to your debt toward the person.

If the seizure concerns certificated **securities**, you must declare to the bailiff:

- the number of securities held by the person against whom execution measures are taken;
- the extent to which the securities are paid up;
- the interest, dividends or other distributions declared but not yet paid.

*(Compulsory indication)*

You may be ordered to pay the amount owed to the seizer if you fail to declare, withhold or deposit a sum of money or if you make a false declaration.

**EVICTION OR REMOVAL OF THE PROPERTY OF THE PERSON AGAINST WHOM EXECUTION MEASURES ARE TAKEN TO BE PLACED IN POSSESSION**

*(Select the statements that apply)*

Evict the person from the premises described as follows in the judgment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

As the PERSON AGAINST WHOM EXECUTION MEASURES ARE TAKEN, you must remove your movable property within \_\_\_\_\_ or pay the costs incurred to remove it. If you refuse to pay, your movable property will be deemed to have been abandoned.

Place \_\_\_\_\_ in possession of the property described as follows:  
*(name of the party for whom judgment is given)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Indicate that the judgment has been partially executed, if applicable)*

\_\_\_\_\_  
\_\_\_\_\_

**SECTION VI – AMENDMENT(S) TO THE NOTICE OF EXECUTION**

*(Complete this section each time the notice of execution is amended by selecting the boxes that apply)*

*(Complete Sections I, II, IV and V to reflect the amendment(s) made)*

On *(indicate the date of the amendment)*, the notice of execution was amended for the following reason(s):

*(Select the statements that apply)*

New instructions have been received from the seizer under record number \_\_\_\_\_.

*(In the case of a seizure before judgment)*

A new seizer has joined with the notice of execution to proceed with a seizure before judgment under record number \_\_\_\_\_ (read Sections I, II and III).

The affidavit of the new seizer is attached to the amend notice of execution.

*(In the case of a forced execution of a judgment)*

A new seizer has joined with the notice of execution to proceed with the forced execution of the seizer's judgment under record number \_\_\_\_\_ (read Sections I, II, III and IV).

*(Select the statement that applies)*

No additional execution measure is required.

The following additional execution measures are required (read Sections II and V, if applicable) :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Complete this box if the judgment orders a seizure before judgment)*

On *(enter the date of the amendment)*, the notice of execution was amended for the following reason(s):

Following a judgment ordering seizure before judgment under record number \_\_\_\_\_, the bailiff received instructions to continue execution measures (read Sections I, II, III and IV).

The instructions received are as follows:

*(Select the statements that apply)*

Sell the seized property and distribute the proceeds of the sale  
Place \_\_\_\_\_ in possession of the property described as follows:  
(name of the party for whom judgment is given)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Distribute the sums of money seized  
Distribute the income seized

Take the following additional execution measures:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Indicate that the judgment has been partially executed, if applicable)*

\_\_\_\_\_  
\_\_\_\_\_

At \_\_\_\_\_, on \_\_\_\_\_

\_\_\_\_\_  
*(Signature of bailiff)*

*(Compulsory indication)*

**For more information, please contact the collector or, if applicable, the executing bailiff.**