

Guideline Form 48B

Purpose of Form: This form is used by an interest holder or their agent to record a judgment related document in the judgment roll.

Instrument Type: Based on the document attached.

LR or ROD: Despite the fact that judgments and judgment related documents are land titles documents, they must be searchable in a names-based index. For this reason, the document is indexed under the Registry of Deeds system so that a name search of the judgment debtor can be conducted.

Mandatory E-Submission Applies: No (currently no electronic F48B exists)

Fee Required: Yes (Unless the document attached is a statutory declaration re judgment).

Accompanying Instrument Required: Yes

Acceptance Criteria for Form 48B:

Correct registration district is provided

One box has been selected for recording in the judgment roll

A document is attached that matches the box selected

Document attached meets all acceptance criteria, (*e.g. signed, sworn, etc*)

If a selection is made for recording in a parcel register(s), the related judgment currently appears in the parcel register

Interest holder name and type is appropriate for the document attached

Complete mailing address is present

Reference to Related Instrument matches the judgment that currently appears in the parcel register

If document attached is an assignment of judgment, the current judgment creditor has been changed to "Interest Assigned"

If document attached is a postponement of judgment, two References to Related Instruments are provided

Any PIDs provided are LR PIDs and have the judgment currently appearing in the parcel register(s)

Number of PIDs on form does not exceed 9

Description of Use of Form:

This form cannot be used to record a judgment (Form 46) or to record a full or partial discharge of judgment where the discharge attached to the form has been executed by the Prothonotary (Form 47) or by the judgment creditor (Form 48) in the judgment roll.

Unless the judgment creditor has completed and signed the Form 48, a satisfaction piece will only be permitted to be submitted on a Form 48B and will be treated as a "Partial Release of Judgment". This is the box that should be checked for a satisfaction piece being recorded in the judgment roll. It is important to note that no judgment will be removed from the judgment roll or a parcel register on the basis of a satisfaction piece. If an authorized lawyer is prepared to certify that it is appropriate to remove a judgment from a parcel register (only) on the basis of the satisfaction piece, he/she would be required to submit a Form 48A.

If a judgment is currently shown in one or more parcel registers, the Form 48B is also used to record an assignment or postponement of that judgment in the applicable parcel registers, in addition to the judgment roll.

This form cannot act to remove any interest from the judgment roll or parcel register(s).

Supporting Form(s) / Documents required:

Document being recorded in the judgment roll