

FORM 64B
DEFAULT JUDGMENT FOR FORECLOSURE WITH A REFERENCE

(General heading)

(Court seal)

JUDGMENT

On reading the statement of claim in this action and the proof of service of the statement of claim on the defendant(s), filed, no request to redeem or request for sale having been filed (*or the defendant(s) (name(s)) having filed a request to redeem*) and the defendant(s) having been noted in default, and the plaintiff wishing a reference (*or the registrar having decided to sign judgment with a reference*),

1. IT IS ORDERED AND ADJUDGED that all necessary inquiries be made, accounts taken, costs fixed or assessed and steps taken for redemption or foreclosure of the equity of redemption in the mortgaged property described in the attached schedule, and that for these purposes this action be referred to the prothonotary (*or as may be*), at (*place*).

The mortgage is dated _____ and made between (name of mortgagor) and (name of mortgagee) and registered (give particulars of registration and of any assignment of the mortgage). (*Where judgment is for possession, add:*)

2. IT IS ORDERED AND ADJUDGED that the defendant (*name*) deliver to the plaintiff or as the plaintiff directs possession of the mortgaged property or of such part of its as is in the possession of the defendant .

(*Where judgment is for payment of the mortgage debt and the registrar is to take the account, add the following two paragraphs:*)

3. IT IS ORDERED AND ADJUDGED that the defendant (*name*) forthwith pay to the plaintiff the sum of \$_____ being the amount due to the plaintiff today for principal, interest and costs; and on payment of the amount due to the plaintiff, the plaintiff convey the mortgaged property to the defendant or as the defendant directs and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate of (*rate claimed in statement of claim*) percent per year from its date.

(*Where judgment is for payment of the mortgage debt and the plaintiff wishes the account to be taken on the reference or the registrar refers the taking of the account, substitute the following two paragraphs:*)

3. IT IS ORDERED AND ADJUDGED that the defendant (*name*) pay to the plaintiff, forthwith after the confirmation of the report on the reference, the amount found due for principal, interest and costs in accordance with the report, and on payment of the amount due to the plaintiff, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate set out in the report on the reference from the date of confirmation of the report.

(Date)

Signed by _____

Registrar

Address of court office _____

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)