

Information for Debtor

READ THIS DOCUMENT IMMEDIATELY

Your property has been seized under the Civil Enforcement Act either to satisfy a judgment against you or to satisfy a landlord's claim for unpaid rent ("landlord's distress"). This document sets out the exemptions to seizure to which you are entitled. Please note that, if the seizure is to satisfy another kind of claim, you may not be entitled to exemptions.

Caution: This document is not intended to provide legal advice. You should seek legal advice if you have any questions regarding your rights and obligations.

CIRCUMSTANCES WHERE EXEMPTIONS DO NOT APPLY

The exemptions listed below do not apply in the following circumstances:

1. If you are not an individual (e.g. you are a corporation).
2. If the judgment against you is for the payment of maintenance or alimony.
3. If you have abandoned the seized property.
4. If the judgment arises out of an act for which you have been convicted of an offence under the Criminal Code.

EXEMPTIONS – Except where any of the above circumstances apply, the following property is exempt from seizure:

	WRITS	LANDLORD DISTRESS
1. Food required by you and your dependants during the next 12 months.		
2. Clothing which is necessary for you and your dependants up to a value of	\$4,000	\$4,000
3. Household furnishings and appliances up to a value of	\$4,000	\$1,000*
4. One motor vehicle up to a value of	\$5,000	Not exempt
5. Medical and dental aids required by you or your dependants.		
6. If your principal source of income is from farming, personal property necessary for the proper and efficient running of your farm for the next 12 months.		
7. If item 6 does not apply to you, personal property required by you to earn income from your occupation up to a value of	\$10,000	\$10,000 – in the case of Residential Premises
8. Money payable by the Agriculture Financial Services Corporation in respect of a claim for loss or damage to crops.		

* FOR LANDLORD DISTRESS PURPOSES ONLY

Household Furnishings and appliances means one washing machine and dryer; one kitchen suite; bedroom suites and bedding; kitchen appliances including one each of a stove, a microwave, a refrigerator and a freezer; kitchen utensils; and, carriages, strollers, cradles and cribs necessary for the use of the debtor's children.

NOTICE OF OBJECTION

- If you believe that there is a valid reason why the property that has been seized should not have been seized you must serve the Notice of Objection that has been provided to you on the Civil Enforcement Agency that made the seizure.
- The Civil Enforcement Agency must receive the Notice of Objection from you within 15 days of the day that the seizure documents were served on you or an adult member of your household. Your Notice of Objection will be void if the Civil Enforcement Agency receives it after the 15 day period has expired or if you do not give a reason for your objection.
- The address of the Civil Enforcement Agency to which you must deliver your Notice of Objection is indicated at the top of the Notice of Objection.

Warning: If your objection to seizure is not based on valid reasons you could be required to pay legal costs resulting from your objection.

Notice: If you have concerns about the way that this seizure was conducted, contact the Civil Enforcement Agency shown on the Notice of Seizure of Personal Property. If you are unable to resolve your concerns with the Civil Enforcement Agency, you may contact the Sheriff – Civil Enforcement at (780) 422-2481.