

THE KING’S BENCH

_____ **Centre**

BETWEEN:

claimant

– and –

defendant

CERTIFICATE OF DECISION ON DEFAULT — DECISION OF JUDGE

THIS IS TO CERTIFY that on reading the small claim in this action and the proof of service of the small claim on the defendant, filed, and the defendant having been noted in default,

- 1. IT IS ORDERED AND ADJUDGED that the defendant pay to the claimant the sum of \$ _____.

Filing Date: _____

Judge

NOTICE

- 1. If you are the defendant and you did not file a defence and judgment was given against you, you may apply to a judge or court officer to have the decision set aside (Form 76I). You will also be required to pay security for costs. The decision may only be set aside if the judge or court officer is satisfied that
 - (a) you have a reasonable explanation for failing to file a Defence or you did not wilfully or deliberately fail to appear at the hearing;
 - (b) you filed your application to set aside this decision as soon as reasonably possible after learning of the decision on the claim, or you have a satisfactory explanation for any delay in filing your application; and
 - (c) it is fair and just in the circumstances to set aside this decision.
- 2. The decision made at the set aside hearing is final and cannot be appealed.