

Instructions for Completing the Affidavit of Service

In a court case, everyone involved must receive the key documents they need. “Serving” documents means giving copies to all the other parties. Generally speaking, this must be done at each step in the case. For example, the plaintiff must serve a copy of the plaintiff’s claim form on the defendant. By serving documents, you tell the other parties about the step you are taking. They can then respond if they want to.

Step 1: SERVE the documents. You can serve the documents yourself. You can have a friend or co-worker do it for you. You can also hire someone, called a process server, to do it. If you have a representative, you can let them look after it. Different documents must be served in different ways. For example, the plaintiff’s claim cannot be served on an individual by regular lettermail or fax. Check the Small Claims Court **"Guide to Serving Documents"** at court offices or online at www.attorneygeneral.jus.gov.on.ca to find out more about service rules. In general, a document can be served any day of the week.

Step 2: COMPLETE the **Affidavit of Service**. The person who serves the papers must keep careful notes. He or she will have to let the court know who was served and when and how this was done. These facts must be put on the **Affidavit of Service**. The person who fills out the form must swear or affirm that the facts are true.

DO NOT FILE THIS PAGE

Small Claims Court

Claim No.

Address

Phone Number

BETWEEN

Plaintiff(s)

and

Defendant(s)

My name is _____
(Full Name)

I live in _____
(Municipality and Province)

and I swear/affirm that the following is true:

1. I served _____, on _____, 20_____,
(Full Name of person/corporation served) (Date)
at _____
(Address (street and number, unit, municipality, province))

- which is** ☐ the address of the person's home
☐ the address of the corporation's place of business
☐ the address of the person's or corporation's representative on record with the court
☐ the address on the document most recently filed in court by the party
☐ the address of the corporation's attorney for service in Ontario
☐ other address: _____
(Specify.)

with _____
(Name(s) of document(s) served)

2. I served the document(s) referred to in paragraph one by the following method:

(Tell how service took place by checking appropriate box(es).)

- Personal service** ☐ leaving a copy with the person
☐ leaving a copy with the _____ of the corporation.
(Officer or position)
☐ leaving a copy with _____
(Specify person's name and office/position.)

at the place of business of the corporation who appeared to be in control or management of the place of business.

Les formules des tribunaux sont affichées en anglais et en français sur le site
www.ontariocourtforms.on.ca. Visitez ce site pour des renseignements sur des formats
accessibles.

Service at place of residence ☐ leaving a copy in a sealed envelope addressed to the person at the person's place of residence with a person who appeared to be an adult member of the same household, and sending another copy of the same document(s) to the person's place of residence on the same day or the following day by:

☐ regular lettermail.

☐ registered mail.

☐ courier.

Service by registered mail ☐ registered mail.
(If a copy of a plaintiff's claim or defendant's claim was served by registered mail, attach a copy of the Canada Post delivery confirmation, showing the signature verifying delivery, to this affidavit.)

Service by courier ☐ courier.
(If a copy of a plaintiff's claim or defendant's claim was served by courier, attach a copy of the courier's delivery confirmation, showing the signature verifying delivery, to this affidavit.)

Service on lawyer or paralegal ☐ leaving a copy with a lawyer or paralegal or an employee in the lawyer's or paralegal's office, who accepted service on the person's behalf.
(Attach a copy of the document endorsed with an acceptance of service.)

Service by regular lettermail ☐ regular lettermail

Service by fax ☐ fax sent at _____ at the following fax number: _____
(Time) (Fax number)

Service to last known address of corporation or attorney for service, and to the directors ☐ mail/courier to corporation or attorney for service at last known address recorded with the Ministry of Government Services, and mail/courier to each director, as recorded with the Ministry of Government Services, as set out below:

Name of director

Director's address as recorded with the Ministry of Government Services
(street & number, unit, municipality, province)

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

(Attach separate sheet for additional names if necessary.)

Substituted service ☐ substituted service as ordered by the court on _____, 20____, as follows: (Give details)
(Date)

| |
|-------|
| _____ |
| _____ |
| _____ |

Sworn/Affirmed before me at _____
(Municipality)

in _____
(Province, state or country)

on _____, 20____

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)