

Court Fee changes in Effect November 6, 2016

Please note that only those fees identified in the tables below will change effective November 6, 2016. All other fees will remain the same. A complete list of court fees will be updated and available on the Ministry's website under the heading of "Court Fees".

The following changes have been made under the *Small Claims Court – Fees and Allowances (Fees Payable to Clerk)*:

Item	Type of Fee	Current \$	Revised \$	Comments
1.	Filing of a claim for an infrequent claimant	75.00	95.00	Fee increase
2.	Filing of a claim by a frequent claimant	145.00	200.00	Fee increase
3.	Filing of a defendant's claim	75.00	95.00	Fee increase
4.	Filing of a notice of motion served on another party; a notice of motion without notice or a notice of motion for a consent order (except a notice of motion under the <i>Wages Act</i>)	40.00	60.00	Fee increase
5.	Filing of a defence	40.00	50.00	Fee increase
6.	Fixing of a date for a trial or an assessment hearing by an infrequent claimant	100.00	145.00	Fee increase
7.	Fixing of a date for a trial or an assessment hearing by a frequent claimant	130.00	190.00	Fee increase
8.	Entering of a Filing of a request for default judgment by an infrequent claimant.	35.00	55.00	Fee increase; fee type change
9.	Entering of a Filing of a request for default judgment by a frequent claimant	50.00	75.00	Fee increase; fee type change
10.	Issue of a summons to a witness	19.00	30.00	Fee increase
11.	Receiving for enforcement of a process from the Ontario Court of Justice or an order or judgment as provided by statute	25.00	40.00	Fee increase
12.	Issue of a certificate of judgment	19.00	25.00	Fee increase
13.	Issue of a writ of delivery, a writ of seizure and sale or a notice of examination	35.00	55.00	Fee increase
14.	Issue of a notice of garnishment	100.00	125.00	Fee increase
	Issue of a notice of renewal of a garnishment	0	125.00	New fee
15.	Preparing and filing a consolidation order	75.00	115.00	Fee increase
16.	Forwarding a court file to Divisional Court for appeal	20.00	30.00	Fee increase
17.	Making up and forwarding of papers, documents and exhibits (plus any applicable transportation costs)	0	30.00	New fee
19.	Making photocopies of documents			Fee type aligned with SCJ
	i. not requiring certification	1.00	No change	
	ii. requiring certification	3.50	No change	
21.	Retrieval from storage of a court file	0	35.00	New fee

The following changes have been made to the *Small Claims Court – Fees and Allowances (fees Payable under the Repair and Storage Liens Act)*:

Item	Type of Fee	Current \$	New \$	Comments
1.	Filing of an application	100.00	150.00	Fee increase
2.	Filing of a notice of objection	35.00	50.00	Fee increase
3.	Issue of an initial certificate, a final certificate or a writ of seizure and sale	35.00	55.00	Fee increase

*Filing of a waiver of further claim and a receipt remains at no charge

The following changes have been made to the *Small Claims Court – Fees and Allowances (Fees and Allowances to Witnesses)*:

Item	Type of Fee	Current \$	New \$	Comments
1.	For attendance in court, subject to paragraph 2, per day	6.00	10.00	Fee increase
2.	For attendance in court by a barrister, solicitor, physician, surgeon, engineer, or veterinary surgeon or other professional who is not a party to the action, to give evidence of a professional service rendered or to give a professional opinion, per day	15.00	25.00	Fee Increase;
				Fee type change

The following amendments have been made to the Superior Court of Justice and Court of Appeal Fee Schedule:

Item	Type of Fee	Current \$	New \$	Comments
1.	On the issue of			
	i. a statement of claim, notice of action or notice of application	181.00	220.00	Fee increase
	ii. a third or subsequent party claim	181.00	220.00	Fee increase
	iii. a statement of defence and counterclaim adding a party	181.00	220.00	Fee increase
	iv. a summons to witness	22.00	30.00	Fee increase
	v. a certificate, other than a certificate of a search by the registrar required on an application for a certificate of appointment of estate trustee, and not more than five pages of copies of the Court document annexed	22.00	30.00	Fee increase; fee type change
	for each additional page	2.00	0	Fee eliminated
	vi. a commission	44.00	55.00	Fee increase
	vii. a writ of execution	55.00	70.00	Fee increase
	viii. a notice of garnishment (including the filing of the notice with the sheriff)	115.00	140.00	Fee increase
	A notice of renewal of garnishment (including the filing of the notice with the sheriff)	0	140.00	New fee
2.	On the signing of			
	i. an order directing a reference, except an order on requisition directing the assessment of a bill under the <i>Solicitors Act</i> subject to paragraph ii	235.00	285.00	Fee increase
	ii. an order on requisition directing the assessment of a bill under the <i>Solicitors Act</i>			
	A. if obtained by client	75.00	95.00	Fee increase
	B. if obtained by solicitor	144.00	175.00	Fee increase
	iii. a notice of appointment for an assessment of costs under the Rules of Civil Procedure	104.00	125.00	Fee increase
3.	On the filing of			
	i. a notice of intent to defend	144.00	175.00	Fee increase
	ii. if no notice of intent to defend has been filed by the same party, a statement of defence, a defence to counterclaim, a defence to crossclaim or a third party defence	144.00	175.00	Fee increase
	iii. a notice of appearance	102.00	155.00	Fee increase
	iv. a notice of motion served on another party, a notice of motion without notice, a notice of motion for a consent order or a notice of motion for leave to appeal, other than a notice of motion in a family law appeal	127.00	160.00	Fee increase
	v. a notice of return of motion, other than a notice of return of motion in a family law appeal	127.00	160.00	Fee increase
	viii. a requisition for signing of default judgment by registrar	127.00	160.00	Fee increase
	ix. a trial record, for the first time only	337.00	405.00	Fee increase
	x. a notice of appeal or cross-appeal from an interlocutory order	181.00	220.00	Fee increase
	xi. a notice of appeal or cross-appeal to an appellate court of a final order of the Small Claims Court	104.00	125.00	Fee increase
	xii. a notice of appeal or cross-appeal to an appellate court of a final order of any court or tribunal, other than the Small Claims Court of the Consent and Capacity Board	259.00	220.00	Fee decrease
	xiii. a request to redeem or request for sale	104.00	125.00	Fee increase
	xiv. an affidavit under section 11 of the <i>Bulk Sales Act</i>	75.00	95.00	Fee increase
	xv. a jury notice in a civil proceeding	104.00	125.00	Fee increase
4.	Obtaining an appointment with a registrar for settlement of an order	104.00	125.00	Fee increase
5.	Perfecting an appeal or judicial review application	201.00	405.00	Fee increase
6.	Making up and forwarding of papers, documents and exhibits (plus any applicable transportation costs)	75.00	95.00	Fee increase
7.	Making copies of documents			
	ii. requiring certification, per page	4.00	3.50	Fee alignment
9.	Retrieval from storage of a court file	61.00	75.00	Fee increase

10.	Taking of an affidavit or declaration by a commissioner for taking affidavits	13.00	20.00	Fee increase
	For a settlement conference under rule 77.14 of the Rules of Civil Procedure	127.00	0	Fee eliminated

The following amendments have been made to the Superior Court of Justice and Court of Appeal Fee Schedule for fees payable in estate matters:

Item	Type of Fee	Current	New \$	Comments
1.	For a certificate of succeeding estate trustee or a certificate of estate trustee during litigation	75.00	125.00	Fee increase
2.	For an application of an estate trustee to pass accounts, including all services in connection with it	322.00	390.00	Fee increase
3.	For a notice of objection to accounts	69.00	85.00	Fee increase
4.	For an application other than an application to pass accounts, including an application for proof of lost or destroyed will, a revocation of a certificate of appointment, an application for directions or the filing of a claim and notice of contestation	173.00	210.00	Fee increase
5.	For a notice of objection other than a notice of objection to accounts, including the filing of a notice of appearance	69.00	85.00	Fee increase
6.	For a request for notice of commencement of proceedings	69.00	85.00	Fee increase
7.	For the deposit of a will or codicil for safekeeping	20.00	25.00	Fee increase
8.	For an assessment of costs, including the certificate	46.00	60.00	Fee increase

The following amendments have been made to the Superior Court of Justice and Court of Appeal Fee Schedule for fees payable in an action under the Construction Lien Act:

Item	Type of Fee	Current \$	New \$	Comments
1.	If the claim, crossclaim, counterclaim or third party claim does not exceed \$6,000, on the issuing of a statement of claim, crossclaim, counterclaim or third party claim	75.00	95.00	Fee increase
2.	If the claim, crossclaim, counterclaim or third party claim exceeds \$6,000			
	i. issue of a statement of claim, crossclaim, counterclaim or third party claim	181.00	220.00	Fee increase
	ii. filing of a statement of defence	104.00	155.00	Fee increase
	iii. issue of a certificate of action	104.00	125.00	Fee increase
	iv. filing of a trial record	339.00	405.00	Fee increase

The following amendments have been made to the Superior Court of Justice and Court of Appeal Fee Schedule for fees payable in respect of an application under the Repair and Storage Liens Act:

Item	Type of Fee	Current \$	New \$	Comments
1.	Filing of an application	184.00	220.00	Fee increase
2.	Filing of a notice of objection	104.00	155.00	Fee increase
3.	Issue of an initial certificate or a final certificate	104.00	125.00	Fee increase
4.	Issue of a writ of seizure	55.00	70.00	Fee increase

The following amendment has been made to the Sheriff's Fees:

Item	Type of Fee	Current \$	New \$	Comments
13.	Making copies of documents, other than writs of execution, orders and certificates of lien			
	i. not requiring certification, per page	2.00	1.00	Fee alignment