



Policy Number: 08-002
Subject: Certification of Orders
Chapter: Orders of Director

Legislation	s. 47.(2), 47.(3), 47.(4), 47.(5), and s. 50
Definitions	<p>Certified Copy of Order: A copy of an Order of Director, or a copy of an Order of Possession, certified to be a true copy by the Director and signed by the Director or designate.</p> <p>Seal: a physical or digital stamp, stamped or affixed to a copy of an order, which is signed and dated, and states that that copy is a true copy of the order.</p>
Purpose	The purpose of this section is to provide guidelines for certifying orders so they may be filed in the appropriate Court and enforced through the Sheriff's Office.
Policy	<p>Where:</p> <ul style="list-style-type: none">(a) a party named in an Order of Director or Order of Possession has not complied with the order, or that party has only partially complied, or(b) where a party has not complied with the terms of a mediated agreement, and that agreement has been converted to an order, <p>that order may be filed with Small Claims Court or the Sherriff's Office for enforcement (see policy 08-003). Before filing the order with that Court or Office, it must first be certified by the Residential Tenancies Office.</p>
Procedure Overview	<p>To certify an order, an Application for Certification form must be completed and submitted to this Section. In that application, the applicant will state which parts of the order, or mediated agreement, have not been complied with and for which the applicant seeks enforcement. Before signing the application, the applicant must also swear, by oath or affirmation, before a commissioner or a notary, etc., that the contents of the application are true.</p> <p>Before certifying a copy of an order, Residential Tenancies staff must ensure that:</p> <ul style="list-style-type: none">(a) each of the applicants named in the order have signed the Application for Certification, and(b) all of the named parties in the order have been served with the order.



	<p>After the application is approved, this Section will issue a copy of the Order of Director, affixed with a seal, stating that that copy is a true copy of the order on file. That seal is to be dated and signed by the person issuing the certified copy of the order.</p> <p>Where the applicant is seeking certification of an Order of Possession, staff will additionally issue a certified “Order for Sheriff to Deliver Possession of Property” document, affixed with the same seal, as well as a stamp which states the date by which that order must be enforced.</p> <p>Staff shall also ensure that copies of the certified orders are placed in the case file.</p>
Forms & Form Letters	<p>Application for Certification (RT-2018-00058)</p> <p>Order of Director Order of Possession Order for Sheriff to Deliver Possession of Property</p>
X-Reference	Enforcement of Orders (Section 08-003 of this manual).
Policy Developed	September, 2000
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Other Resources	