

FACELAW

ONLINE LEGAL DIRECTORY

30 PAGES

NO.5 DECEMBER 2020

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Majid Jowhari
Member of Parliament
Richmond Hill

October 7, 2020

Letter of Recognition

As the Member of Parliament for Richmond Hill, I would like to thank Ali Ahmari-Moghaddam and Ashkan Anvari for their recent innovation, the Facelaw platform.

Facelaw.ca is a directory of Lawyers, Paralegals, and Immigration Consultants, striving to bring together the best professionals in the legal field in an easy-to-search database making finding the right legal professional simple and efficient. The Facelaw platform also provides access to articles, blogs, and useful information dealing with different areas of the law. There is also a Facelaw Magazine which is available in both English and Farsi and is available to download for free from the website.

I appreciate Ali Ahmari-Moghaddam and Ashkan Anvari's effort and aspiration to make their platform and access to legal professionals easily accessible to more people, and I commend their spirit of innovation and inclusiveness.

Sincerely,

Majid Jowhari, MP
Richmond Hill

Constituency Office

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WE are a directory of Lawyers, Paralegals and Immigration Consultants, striving to bring together the best professionals in the legal field.

In today's fast paced world, where almost everyone now has the internet in the palm of their hand, finding the relevant information and assistance you require has never been easier. Finding an experienced lawyer, paralegal or immigration consultant ("Legal Professional") to assist you with your legal matters should be no different. Whether your legal matter is complicated or simple, Facelaw.ca is here to make the initial interaction between the client and Legal Professional just as simple.

Facelaw.ca is a website which connects those looking for a Legal Professional to assist them with a legal matter (or those just wanting to get some preliminary legal advice) with an experienced Legal Professional in the appropriate field of law. The Legal Professional will help guide you through the complex legal landscape and will provide the appropriate and professional legal advice.

Looking for a Legal Professional that speaks a certain language? Looking for a Legal Professional in a certain city or town? Looking for a Legal Professional who's practice focuses in a specific area of law? Not a problem! Facelaw.ca will connect you with the right Legal Professional to fit your legal needs quickly and effectively.

Facelaw.ca was created to eliminate the intimidating process of searching for a Legal Professional to provide legal services. Instead of having to call different offices and law firms searching for the right Legal Professional to retain, Facelaw.ca has compiled a searchable database of local Legal Professionals who are committed to serving their clients.

SO stop wasting time making useless calls and reviewing lawyer and law firm websites that provide no real guidance and try Facelaw.ca today!!!

ABOUT US



DECEMBER 2020

FACELAW.MAGAZINE

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Editor-in-Chief	Ali Ahmari Moghaddam
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NOVEMBER 2020

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As the courts and dispute resolution centers become more crowded, the pressure on society will increase. As there is an increase of legal complications due to the lack of basic legal knowledge and competency from the general public, the work force will waste time, energy and resources that can be spent on the development of society on small and large conflicts between people that could otherwise be easily resolved. Furthermore, there will also be a waste of expenditure on issues that, had the parties been first made aware of the rules and regulations, might be spent somewhere else, which could have potentially improved the business or living standards of individuals. This is directly related to the economic growth of countries and the quality of society.

The Facelaw platform intends to raise the level of legal knowledge of the community by providing the most up-to-date relevant information through the Internet and digital marketing and social media platforms, with the help of lawyers, paralegals, immigration consultants, and other legal consultants. For example, when a person does not have information about the inheritance laws of his country or has little knowledge about the legal issues pertaining to his property, they will definitely face legal problems. Therefore, with a platform like Facelaw, you can search and find a lawyer, paralegal, or an immigration consultant who has sufficient knowledge in that particular field (with any language, cultural background and nationality that suits your needs), read their articles about the relevant issues, listen to their podcasts, watch their videos or participate in their webinars and seminars for free. You can even ask these advisors questions so that in the future you will be better prepared should you face legal issues. If necessary, you can arrange to retain the services of a lawyers, paralegals, or an immigration consultants, or to better tackle your legal concerns. These services provided by Facelaw will prevent time from being wasted on finding these advisors in newspapers and websites, as they can all be found in the Facelaw directory.

We became a bit familiar with the unique aim of the Facelaw startup, in that it is the only legal directory to include services such as:

- ▶ A Website with professional search capability and extensive content
- ▶ Active social networks with useful content
- ▶ Dedicated e-magazines and print magazines of legal issues in English and Persian
- ▶ Digital/Internet radio and television,
- ▶ Free seminars and conferences with qualified professionals,
- ▶ IOS and Android applications,
- ▶ Extensive advertising at the provincial and national levels

And ...

Facelaw's main goal is to reduce the problems and violations resulting from lack of legal information by raising the legal knowledge of society to create a safer, more sustainable environment, which is certainly one of the goals of the government too.

In order to create a culture of teaching legal issues and applying the laws and regulations in our daily life, it is better to use the services of lawyers and legal advisers when important decisions are being made. Having a lawyer or paralegal, or an immigration consultant, by your side ensures that you take the right path without making mistakes that could potentially create legal complications in the future.

We will continue to carry out the strong mission of our startup and we ask you, the general public, to introduce this platform to your friends and acquaintances so that everyone can become familiar with this platform and increase their general legal knowledge. If you are a lawyer, paralegal or an immigration consultant, we ask you to join us in this special endeavor to help your community to create a better world.



FACELAW MAGAZINE FACELAW MAGAZINE FACELAW MAGAZINE FACELAW MAGAZINE

FACELAW will also have an online legal magazine as another medium to connect with the public. THE MAGAZINE will employ a list of licensed lawyers, paralegals and immigration consultants in a user-friendly directory for people to find the right professional for their legal needs. Following this, all publications produced by the professionals and relevant legal information that can be of use to the public will be easily accessible within the magazine. The magazine can be accessed through our website as a download both in written and audio form or the printed version the magazine can be delivered to your home and/or workplace.





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► Ali Ahmari Moghaddam

We believe that clients should feel welcome and comfortable every time they walk into our office. Our law firm also works hard to make sure that clients are involved in all aspects of their case and takes the time to educate clients about their legal matter so that they are well informed about all aspects of their particular case.

Why Choose Us?

- CLIENT-FOCUSED SOLUTIONS AND RESULTS
- FLEXIBLE, VALUE-DRIVEN APPROACH
- BEYOND THE BILLABLE HOUR
- DIVERSITY & INCLUSION
- WOMEN'S EMPOWERMENT AND SUCCESS
- PROVEN ADVOCACY. PROVEN RESULTS.
- A MULTIDISCIPLINARY, COLLABORATIVE APPROACH
- HEAR FROM OUR CLIENTS.
- COMPASSION AND RESPECT
- BILINGUAL SERVICES



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In today's technologically advanced world, social media has become the new phenomenon to connect the world on all levels. The world has technologically moved forward in a way that people no longer just rely on radio or TV to access their favorite program.

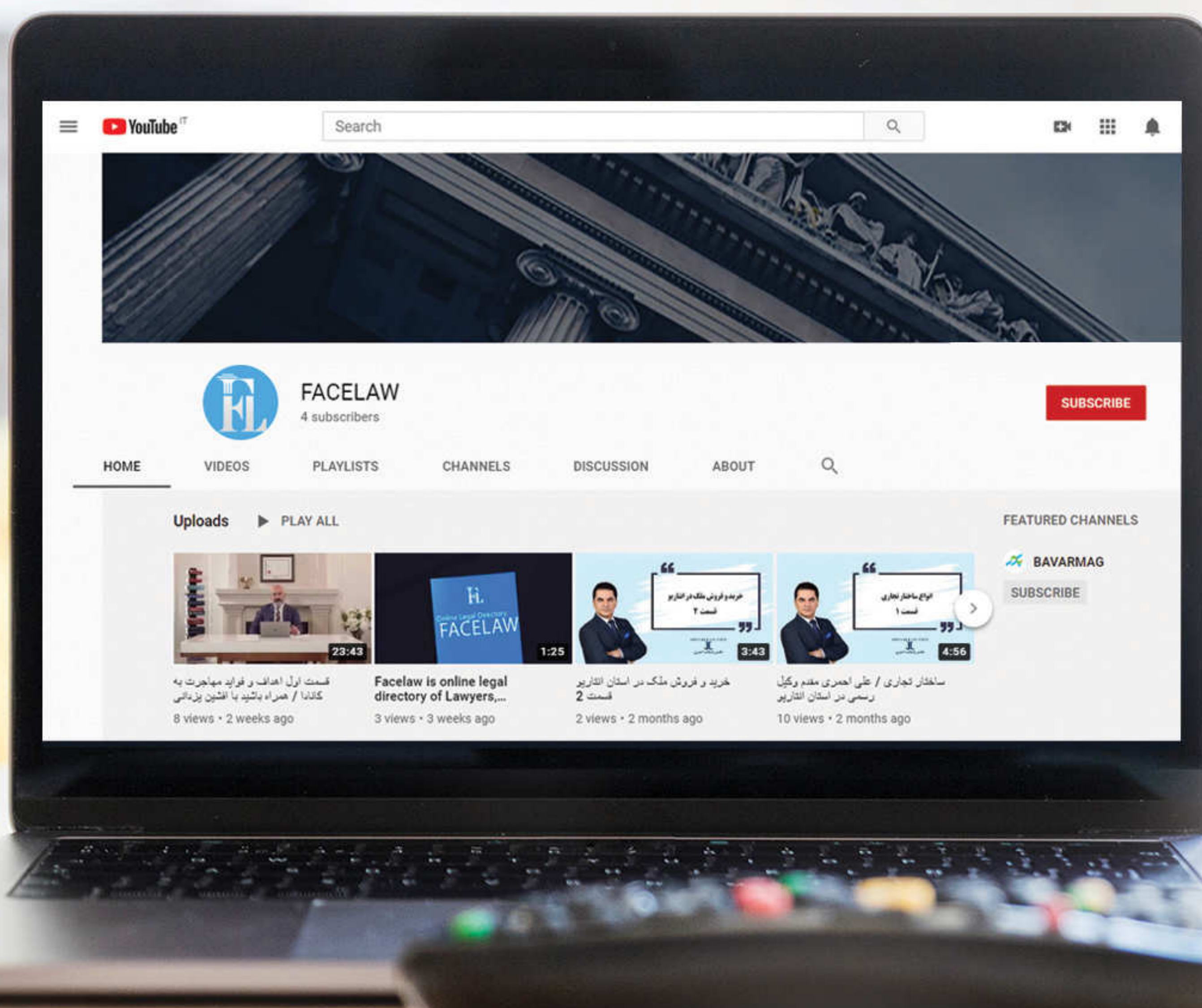
Now more than ever, smartphones, tablets, laptops, computers, and any device that connects to the internet have the ability to provide us with the latest information on a given topic within seconds. Likewise, social media platforms, such as internet, TV and radio, are now instrumental for businesses to advertise their services to the public. This process is not only much cheaper than conventional methods of advertising such as radio or TV, but also provides an opportunity for businesses to maintain direct relationship with their audience.

FACELAW INTERNET TV

Radio FACELAW



 FACELAW



In this regard, Facelaw has launched its online TV and radio, with the objective of providing reliable legal information, prepared by our members who are trained legal professionals. Information will be provided via video, audio and podcasts to the public on a timely basis.

If connecting with legal professionals in divergent fields and learning more about their services is of interest to you, you are encouraged to follow our social media, website, and YouTube channel to have access to our professional programs. Facelaw is excited to introduce this new medium for legal professionals to educate and connect with their audiences.





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“

**Hidden
Purchase
Fees Can
Cost You
Thousands.**

**ALI
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MOGHADDAM**

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Real estate agents and builders don't always tell you about the thousands of dollars in hidden fees and adjustments contained in your agreement of purchase and sale when you purchase a new construction property directly from a builder.

One of the areas that is most controversial involves the builder's agreements of purchase and sale and the lack of clarity and disclosure of all the potential additional costs associated with the purchase which are in addition to the purchase price set out in the agreement.

Last week a client of mine came to my office with his wife to review a builder's form of Agreement of Purchase and Sale for the purchase of a unit in a new construction Toronto condominium located on Yonge Street.

“My client's experience, which is not uncommon, reveals a huge gap in consumer protection for purchasers of new construction properties that needs to be addressed and remedied.”

Luckily, he was one of those clients that would rather seek a lawyer's review of the agreement and obtain a lawyer's opinion prior to executing any document.

Of course, during the negotiation of the deal, neither the buyer or the builder were represented by real estate agents.

Initially, my client was enthusiastic about buying this particular unit even if it wasn't going to be ready to move into until 2022. However, by the time my clients left my office an hour and half later, after we went through the entire agreement and all the schedules attached thereto together in detail, my clients almost changed their mind about the transaction and decided that it would be best to go back to the builder to renegotiate some of the terms contained in the agreement prior to finalizing the transaction.

My client's experience, which is not uncommon, reveals a huge gap in consumer protection for purchasers of new construction properties that needs to be addressed and remedied.

As I explained to my client various clauses in the agreement and the schedules attached to the builder's new construction agreement of purchase and sale lists various extra charges he would have to pay to the builder on closing in addition to the purchase price.

This was the point where my clients' enthusiasm for the purchase decreased dramatically. Although the additional charges and adjustments are detailed in the agreement and the schedules attached thereto, they were never mentioned in the sales office and are effectively buried in the 65-page document and can be easily overlooked.



“

Telling a potential purchaser that the purchase price set out in the agreement may be increased by thousands of dollars at the time of closing may dissuade purchasers from signing the agreement.

In total, the extras could have potentially amounted to an approximately \$14,000.00 to \$16,000.00 increase in the purchase price which cannot be mortgaged and would have to be paid on closing.

In a very similar experience, in which the client was represented by an independent realtor, I noticed that neither the builder's agent nor the client's own realtor ever mentioned these additional charges and adjustments to the client.

Although all these charges are required by law to be set out in new construction agreements of purchase and sale or the disclosure materials accompanying said agreement, there is no obligation on the builder or sales agents to mention them in any meaningful way in the sales office or disclose them to potential purchasers.

After all, telling a potential purchaser that the purchase price set out in the agreement may be increased by thousands of dollars at the time of closing may dissuade purchasers from signing the agreement.





As a result, buyers who do not have their offers reviewed by an experienced real estate lawyer prior to the agreement and the transaction becoming firm and binding on all parties, often experience huge sticker shock when the time comes for closing when the builder is looking to collect on these hidden adjustments.

Some of the typical charges and adjustments included in builder agreements that cannot be mortgaged and must be paid upon closing:

- Charges and levies imposed on the builder as part of the development process by government authorities or school boards or any increases thereto prior to closing;
- “Administration or connection fees” for connecting and energizing hydro and water meters to each unit;
- Administrative charges to keep track of the buyer’s deposits;
- Administrative charges to amend the agreement to add or remove a purchaser’s name;
- Charges to subsidize the builder’s lawyer’s legal fees for registering discharges of the construction financing on the property title;
- Extra common expenses for the reserve fund; and
- The Tarion enrolment fee.



ONLINE SEMINARS



Facelaw has the technological ability to conduct various seminars for the community in order to increase awareness in the legal field. As well, Facelaw produces private seminars for businesses to educate them in the different areas of law. This has the power to inspire businesses to tackle new projects and to advance their level of knowledge within the law. For these seminars, the speakers will be the direct members of Facelaw who are licensed professionals like that of lawyers, paralegals and immigration consultants.

Depending on the nature of discussion, the seminar may be led by one or more professional.

These seminars will take place in North America. Some will be provided for free and others will require the purchase of a ticket. Facelaw will have all the details including prices, dates, and topics of discussion among other details available on our website for your ease of reference.



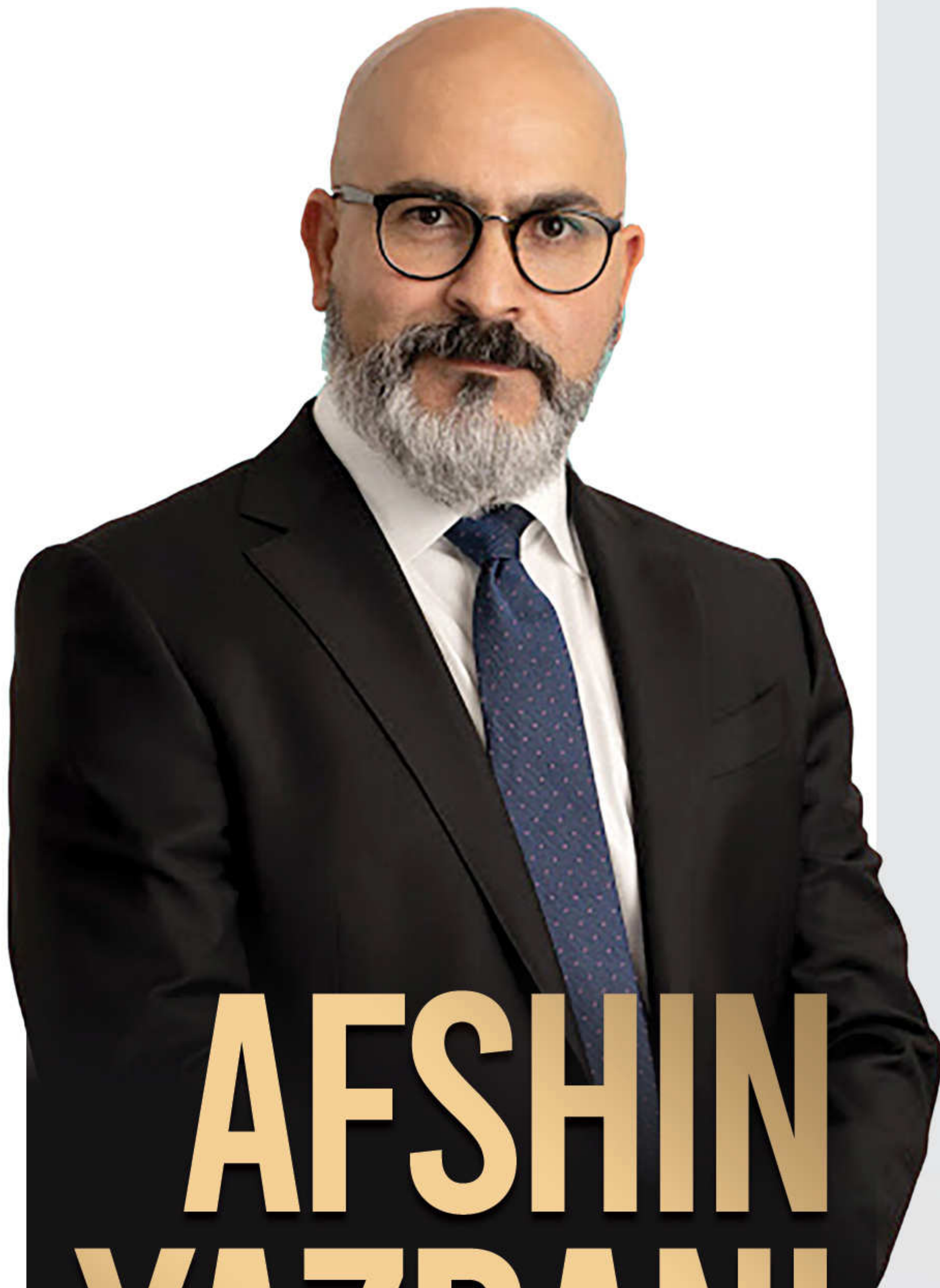
Facelaw provides the opportunity for the public to read about the member's legal experience, their desired field of law and their current contact information.

This unique feature will allow people to learn more about the background and professional work of the members who have joined Facelaw.

Within the seminars, you will have a direct connection with the speakers by having the ability to ask questions during the seminars. The speakers will also provide their contact information so that you can contact them for further legal information and clarification. In doing so, Facelaw will provide a special discount to those who attend the seminars. Please visit our website for further details regarding the discounts. The highlights of each seminar will be displayed on Facelaw's website so that the public can determine if the topics, location, professionals among other details are of interest to them.

Facelaw values education and community and maintains these values at the core of all of its efforts.

As a result, Facelaw will have business-networking events in which all Facelaw members who are experienced professionals in the legal field will have the opportunity to meet and learn from one another. This will allow them to advance their current expertise and to better serve the public as their legal knowledge will be up to date and expanded.



AFSHIN YAZDANI

YLG – Yazdani Law Group is a leading Toronto law firm practicing primarily in the area of immigration, business and Property law for Canada.

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He is the founder of Yazdani & Associates Immigration Firm as well as YLG – Yazdani Law Group. He received a Master's degree in Canadian Common Law at York University, and graduated from Osgoode Hall Law School in 2016.

He obtained his Certificate of Qualification from the National Committee on Accreditation (NCA).

Helping our clients cross borders for over 15 years. We are a full-service Canadian immigration and business law firm. Mr. Yazdani began his career as a lawyer & a law professor in Iran in 2004. He became a legal advisor and a law professor in Dubai in 2008. He previously completed an Immigration Consultant Program at Lasalle College in Montreal, as well as Civil Law and international Law. He became a member of "ICCRC (Immigration Consultants of Canada Regulatory Council)" in 2016. He was called to the Ontario Bar in 2019 and has been practicing Canadian immigration law since establishing his immigration firm in Toronto.

Mr. Yazdani is the only lawyer in Canada with an immigration consultant diploma and three law degrees. His high-profile and celebrated cases have attracted international attention, and he is frequently consulted as an immigration expert by journalists, government and non-governmental organizations (NGOs) on matters pertaining to immigration law and policy. He recently was a television host in a biweekly show known as "Canadian Immigration from Law's Point of View".

He is the author of several articles on matters pertaining to Public International Law, Dubai Property, Arbitration Law, and Canada Immigration Law.





First, must consider the following key factors to assess yourself how to become a candidate in the Express Entry pool as a skilled immigrant under Federal Skilled Workers (FSW), Federal Skilled Trade (FST), Provincial Nominees Programs (PNP), and Canadian Experience Class (CEC):

CANADA Skilled Basis Immigrants: Express Entry for All Federal and PNP Skilled Based Immigrants

1

There are no minimum points pass mark, but the applicant must meet the minimum requirement under one of 4 categories; applicant also better have a job offer from a qualified Canadian Employer with a positive LMIA.

2

Candidate can apply for PNP and Express Entry at the same time;

3

The work permit holder of NOC O, A, B can apply for Express Entry if they have an LMIA, so dual Intent is allowed;

4

An employer must apply for an LMIA, but there is no fee;

5

Applicant must be admissible, and Police Certificate is valid for three months only;

6

The maximum Points score to apply for a PR is 1200, but candidates with the highest scores and those nominated by the employers and province are eligible to be invited to apply for PR through an ITA.





Express Entry for Federal Skilled Workers (FSW)

To become a candidate in the Express Entry pool under this category, the following factors are essential. The passing mark is 67, and the candidate must meet the following eligibility criteria: English Language Proficiency level CLB7 or equal in the French language; having done the Educational Credential Assessment by CES, ICASC, WES, and some regulatory agencies; One-year work experience under NOC O, A, B; and Proof of funds for self support.

Express Entry for Federal Skilled Trade Workers (FSTW)

To become a candidate inside the Express Entry pool under the Federal Skilled Trade Workers category, the following factors are essential, whereas there is no passing mark. The following items are mandatory: English Language Proficiency CLB 5 or equal in the French language; two years' work experience in one of the eligible skilled trade (listed by CIC); and having a job offer or a Certificate of Qualification in that skilled trade

Express Entry for Canadian Experience Class (CEC)

To become a candidate in the Express Entry pool under this category, the following factors are essential. The passing mark is 67, and the candidate must meet the following eligibility criteria: English Language Proficiency level CLB7 or equal in the French language; having done the Educational Credential Assessment by CES, ICASC, WES, and some regulatory agencies; One-year work experience under NOC O, A, B; and Proof of funds for self-support.



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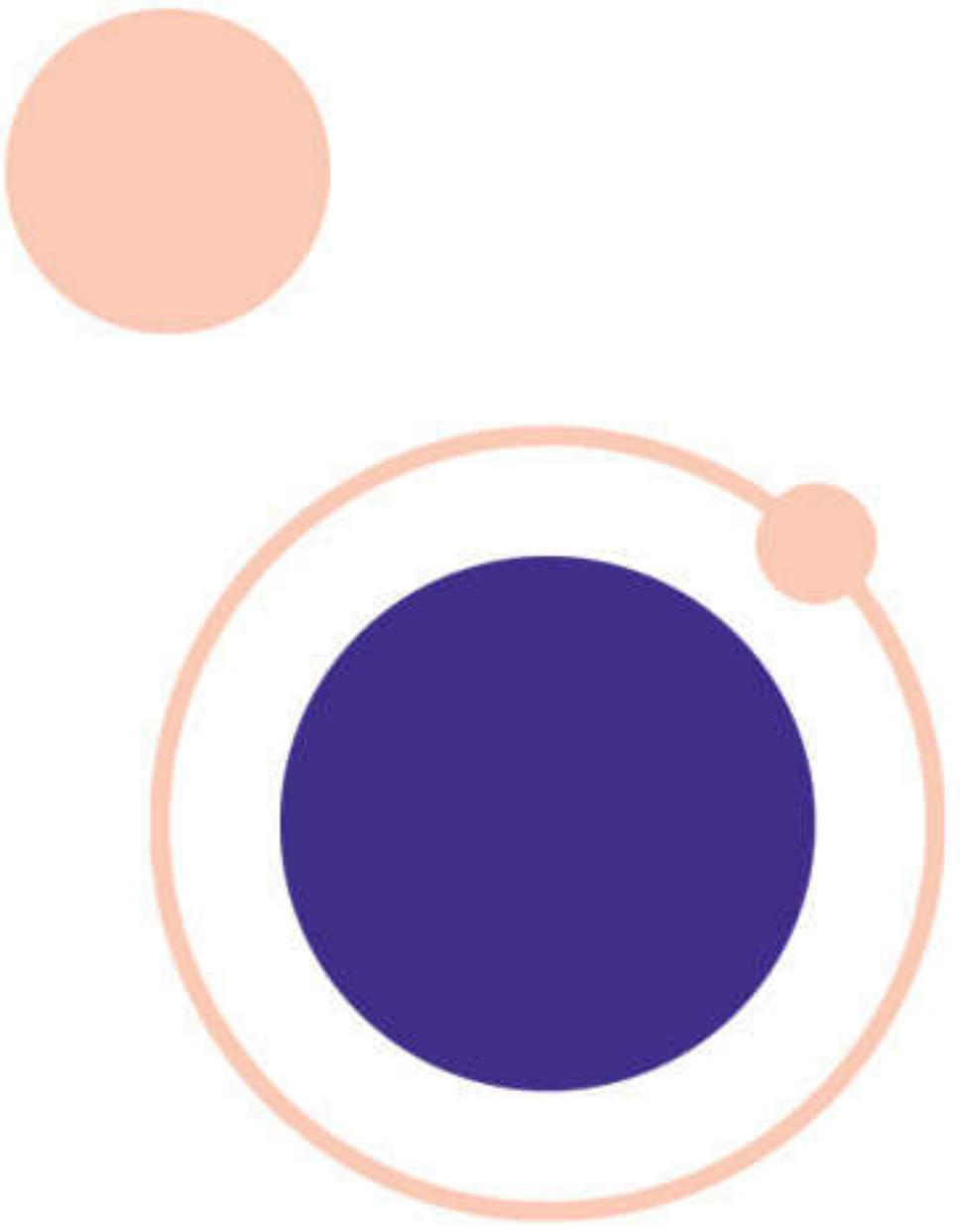
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ARTICLE
FACELAW

In this section of Facelaw you can access useful legal information, and articles you may wish to read that have been published by our members, comprised of lawyers, paralegals and immigration consultants. The intent of Facelaw is to provide a platform to educate the public and to provide a medium for legal needs to be properly addressed pursuant to the laws of Ontario.

The blog is sectioned into different legal topics in which information is provided from different professionals. Facelaw strives to provide you with a wholesome perspective so that you can be guided by different professionals in order to make the best possible decisions involving your legal matters. In doing so, if you have questions you can directly contact the professionals with the information provided on Facelaw. The professionals can help answer your legal questions and guide you in the right direction with respect to your legal matter.

Facelaw has provided an easy access search function that with a simple keyword search you can locate useful information on the legal topic you require information about. We are grateful that we have connected with these professionals to compile valuable resources to share with the public to ensure that you are provided quick and accurate guidance and information.





Making A Personal Injury Claim Under The Family Law Act

Where do you turn when you need support, care, guidance, companionship, or love? Many people would answer “family” without missing a beat.

Family members not only share our happiness when times are good, but we often depend on them to see us through some of the most challenging periods in our life. When one member experiences a tragic loss, it can reverberate throughout the rest of the family unit – we empathize with them as they experience pain and perhaps feel a loss of our own.

Take, for example, a car accident, serious slip and fall, or another type of accident where someone caused or contributed to a family member’s injury or death through negligence. The victim of the accident may experience a debilitating personal injury that profoundly affects their life. A traumatic brain injury, loss of a limb, or paralysis could limit their ability to work or enjoy life as they had before.

In many cases, a family member who had grown to depend on the injured person for care, guidance or companionship will experience a significant loss as well—fortunately, the Family Law Act, R.S.O. 1990, c. F.3 (“F.L.A.”) allows individual family members to make claims against negligent parties for the losses they face due to their loved one’s injury.

This blog post will outline who can claim under the F.L.A. and what kind of compensation they can receive for their losses.



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E. GLUCKSTEIN**
Gluckstein Lawyers

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Who Is Considered Family?

Ideas of who constitutes a family are constantly in flux in Canadian society. While the F.L.A.'s definition of family is not as stringent as the compact nuclear family model, it does define family members in a particular way. It imposes limits to the extent that extended family members are eligible to make legal claims.

When a person is injured or passes away by fault or negligence of another under circumstances where that person is/would be entitled to recover damages, their spouse, children, grandchildren, parents, grandparents, and/or siblings are entitled to recover pecuniary and/or non-pecuniary losses resulting from the injury or death.

Under the F.L.A., a "spouse" is defined as either two persons who are married to each other or have entered into a voidable or void marriage, in good faith on the part of a person relying on this clause to assert any right. The definition of "spouse" includes a reference to a marriage that is actually or potentially polygamous if it was celebrated in a jurisdiction whose law system recognizes it as valid.

The "Support Obligations" of the Act, which details the right to make a claim for compensation for a family member's personal injury, also permits either of two persons who are not married to each other and have cohabited continuously for no less than three years, or who are in a relationship of some permanence if they are the parents of a child as set out in section 4 of the Children's Law Reform Act, to make a claim.

The F.L.A. also provides some flexibility in terms of child-parent relationships. For example, it defines a "child" as a person whom a parent has demonstrated a settled intention to treat as a child of his or her family, except under an arrangement where the child is placed for valuable consideration in a foster home by a person having lawful custody.

Case law has clarified how courts should interpret some of these terms. Unfortunately, some family configurations that do not conform to these definitions are excluded under the Act.

Close relationships among persons considered part of an extended family or partners who are not deemed to meet the definition of spouse (such as non-cohabiting partners) are not eligible to make claims, even if facts suggest these persons have a closer relationship to an injured person than an eligible family member.

Written By:
JESSICA GOLOSKY,
Personal Injury Lawyer





What Damages Can Be Claimed?

The F.L.A. outlines the types of claims that can be advanced by family members, including:

- 1 actual expenses reasonably incurred for the benefit of the person who was injured or killed;
- 2 actual funeral expenses reasonably incurred;
- 3 a reasonable allowance for travel expenses incurred in visiting the person during his or her treatment or recovery;
- 4 where, as a result of injury, the claimant provides nursing, housekeeping or other services for the person, a reasonable allowance for loss of income or the value of the services; and
- 5 an amount to compensate for the loss of guidance, care and companionship that the claimant might reasonably have expected to receive from the person if the injury or death had not occurred.





Compassionate Personal Injury Lawyers

Canadian hockey great Guy Lafleur once commented that “when trouble comes, it’s your family that supports you.” If a tragic accident injures or kills a member of your family, you lose part of that support system.

No amount of money can ever replace the support, care and love you receive from family, yet compensation may help you as you take the necessary time to grieve your losses and rebuild your life.

While the legal definition of family may not ultimately be flexible enough to encompass how you define your family, it is still worth speaking to a personal injury lawyer to determine whether you may have grounds for a claim.

At Gluckstein Lawyers, our commitment to full circle care means that we are here to help you in all the steps on your road to recovery – from claiming damages to finding counselling and care as you seek to move past a traumatic event.

To learn more about how we can work for you, contact me at **1-866-308-7722** or email me at **gosky@gluckstein.com**.

If the court finds there is contributory negligence on the part of the injured or killed person – that is, if the injured person or the person who passed away was partially responsible for the incident – then the right to claim damages is subject to any apportionment of fault.

Courts have imposed general limits or conventional sums, subject to inflation, on non-pecuniary damages (non-quantifiable losses), however, recent case law (*Robins v Wagar*, 2017 ONSC 3356) has used fact-specific findings to award greater amounts to F.L.A. claimants in exceptional circumstances.

In the case of motor vehicle accidents specifically, the Insurance Act, R.S.O. 1990 c. I.8 also imposes statutory deductible on non-pecuniary damages for claims beneath a certain threshold of injury or damages.





SUBRAMANYAM NARASIMHAN

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RULE 76 SIMPLIFIED PROCEDURE

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This rule is applicable in Superior Court of Justice and was drafted on the rationale that more modest claims should proceed by a simplified procedure that still provides ample due process but reduces the high costs and delays traditionally associated with civil proceedings in Superior Court of Justice.

2 The simplified procedure has the following major features:

- A** Rule 76 is mandatory for all actions for money or property worth \$200,000 or less, exclusive of interest and costs but more than \$35,000.
- B** The plaintiff may choose to proceed under the simplified procedure in actions for more than \$200,000 or for relief other than damages or recovery of property provided the defendant does not object. Even if the defendant objects, the plaintiff may still proceed under the simplified procedure if claims that are not within the \$200,000 requirement are abandoned.
- C** No written examinations for discovery, cross-examination of a deponent on an affidavit filed on a motion, or examination of a witness on a pending motion are permitted in actions under the simplified. Oral examinations for discovery are allowed on a limited basis. No party shall exceed a total of three hours of oral examinations for discovery regardless of the number of parties or other persons being examined. There is no provision for leave of the court or consent of the parties.
- D** Affidavits of documents for actions under the simplified procedure must include a list of names and addresses of persons who might reasonably be expected to have knowledge of the matters in issue in the action unless the court orders otherwise.
- E** The parties shall schedule a pre-trial conference within 180 days after the action is set down for trial. The parties shall agree to a trial management plan 30 days prior to the pre-trial conference.
- F** There is no longer a distinction between an ordinary trial and a summary trial. Simplified procedure trials are limited to five days for actions commenced on or after January 1, 2020. The parties must agree on a trial management plan that sets out allotted times for each party for various trial steps.
- G** An action under the simplified procedure cannot be tried with a jury. If a jury notice is delivered for actions under this rule involving slander, libel, malicious arrest, malicious prosecution, and false imprisonment, then this action must continue under the regular rules. A jury trial may still occur under the simplified procedure where the jury notice was delivered before January 1, 2020.
- H** There are costs consequences for a plaintiff who commences and continues an action under the ordinary procedure that should have been brought under the simplified procedure. Rule 76 also imposes costs consequences on a defendant who inappropriately objects to an action proceeding under the simplified procedure.

3 Rule 76 does not apply to actions under the Class Proceedings Act, 1992, the Construction Act (except trust claims), civil case management cases governed by R. 77, actions subsequently assigned for case management under r. 77.05, or actions where a jury notice was delivered under r. 76.02.1(2) after January 1, 2020. Also, R. 76 does not apply to family law proceedings.



4 Amending into or out of the simplified procedure:

A Subrule 76.02(7) permits parties to move from the ordinary procedure to the simplified procedure by filing the consent of all parties or amending their claims so that they fall within the \$200,000 limit and ensuring all other subsidiary claims comply with R. 76. If this is done, the plaintiff must deliver a notice (Form 76A) stating that the action and any related proceedings are continued under R. 76.

B Parties may also move from the simplified procedure to the ordinary procedure by amending their claims to exceed the \$200,000 threshold. Where an action that was under the simplified procedure comes under the ordinary procedure because of an amendment to the pleadings or the application of r. 76.02(5), the plaintiff must deliver a notice (Form 76A) stating that the action and any related proceedings are continued under the ordinary procedure.

C There is a cost to the amending party who brings an action from the ordinary to the simplified procedure.

5 The maximum costs that may be recovered by a successful party in a simplified action is \$50,000 and \$25,000 for disbursements, excluding HST.



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