Civil Enforcement Fundamentals

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Paperwork, Paperwork, Paperwork: Tips and Trade Practices for Bailiff Dealings

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PAPERWORK, PAPERWORK, PAPERWORK: TIPS AND TRADE PRACTICES FOR BAILIFF DEALINGS

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INTRODUCTION

The phrase “the devil is in the details” is no truer anywhere else than in the legal profession.

Civil Enforcement Agencies and their Bailiffs are regulated by Alberta Justice. Specifically, The Office of The Sheriff Civil Enforcement.

As such, we have very specific documents that we need from the instructing party before we can begin working for you. These are dependent on the type of action you are asking us to carry out.

These are usually (but not limited to) the following:

- Seizures pursuant to The Personal Property Security Act
- Landlord Distress Warrants and seizures (commercial & Residential)
- Writ seizures and/or Sale of Land pursuant to The Civil Enforcement Act
- Garage Keepers’ Lien Warrants and Seizures
- Court Orders - eviction, Attachment, Receivership/ Bankruptcy, Mobile Home Tenancies Act, other (as ordered by the court).

WHAT CIVIL ENFORCEMENT AGENCIES NEED BEFORE THEY CAN ACT

It starts with the signed Letter of Instruction. This letter includes all the supporting documents we also need. This document authorizes us to act on your behalf. Remember that if your client signs the Letter of Instruction he/she/it is our client and not you. At best you can be the clients Agent.

Please indicate on the Letter of Instruction if you want the seized property to be removed or left on a Bailiee’s Undertaking. If it is not indicated we lose time trying to contact the Instructing Party to clarify the instructions.

Missing even one document means a civil enforcement agency cannot proceed. The preparation of documents for the Bailiff come to a stop.

Our letters of instruction can all be found, filled and printed from our website www.shorridgebailiffs.com The letters are specifically tailored to each of the actions mentioned above and each require accompanying documents specific to the requested action as follows: