**Form FL‑29**
 [Rule 12.53(1)(e) and (e.1)]

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| COURT FILE NUMBER |      Clerk’s Stamp |
| COURT | COURT OF KING’S BENCH OF ALBERTA |
| JUDICIAL CENTRE |       |
| PLAINTIFF *(indicate if Applicant)* |       |
| DEFENDANT *(indicate if Applicant)* |       |
| DOCUMENT | **ORDER FOR EXCLUSIVE POSSESSION OF FAMILY/MATRIMONIAL HOME** |

|  |  |
| --- | --- |
| ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT |       |

DATE ON WHICH ORDER WAS MADE:

LOCATION OF HEARING OR TRIAL: **, Alberta**

NAME OF JUDGE WHO MADE THIS ORDER:

THE COURT HAS REVIEWED THE AFFIDAVIT(S) OF       FILED IN SUPPORT OF THIS APPLICATION AND HAS BEEN ADVISED OF THE FOLLOWING:

*(Add any other points that were significant in the granting of the Order, including which parties appeared at the application, whether or not they were represented by Counsel, and why the Order was necessary)*

**IT IS ORDERED THAT:**

1. The Applicant, [name], is hereby granted exclusive possession of the family/matrimonial home located at [address];

2. The Respondent, [name], shall vacate the family/matrimonial home as of [indicate time of day] on [date];

3. Effective [date and time indicated in clause 2], the Respondent is restrained from entering or attending at or within [exact distance according to circumstances] metres of the family/matrimonial home [except as required to exercise court ordered parenting time or contact – use this or change according to circumstances if there is an order for parenting time or contact in place]

4. The Applicant is hereby granted exclusive use of the following household goods:
*(specify household goods; this may include one or more motor vehicles and some or all of the contents of the family/matrimonial home)*

5. A copy of this Order shall be forthwith served personally on the Respondent.

6. On the Respondent being in breach of any of the terms of this Order, any Police Officer is authorized to forthwith arrest the Respondent, and bring the Respondent, as soon as possible, before a Justice of the Court of King’s Bench of Alberta to show reason why there should not be a finding of civil contempt.  However, the Respondent shall not be arrested unless the Respondent has previously been served with a copy of this Order, or if not served, is shown a copy of this Order by the Police Officer and, on being given an opportunity to do so, does not then obey it.

7. It is further ordered that in making an arrest under this Order, a Police Officer is authorized to do anything necessary to carry out the arrest, including the use of as much reasonable force as may be necessary to make the arrest, and without warrant to enter any place where, on reasonable and probable grounds, the Police Officer believes that the Respondent may be found.

8. This Order is sufficient authority for the keeper of a correctional institution to hold the Respondent in custody pending appearance before a Justice of the Court of King’s Bench of Alberta.

9. This Order remains in effect up to and including the [date] day of [month], 20[year]. However, it ceases to have any force and effect on this action being discontinued or on the trial of this matter unless continued by order of the Court.

10. Either party may apply to vary or strike this Order on providing notice to the other party 5 days or more before the date the application is scheduled to be heard or considered.

11. A civil enforcement agency has authority, after service of this Order has been effected, to evict the Respondent from the land.

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Justice of the Court of King’s Bench of Alberta

**APPROVED AS TO FORM AND CONTENTS**

**OR CONSENTED TO BY:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Plaintiff (OR Lawyer for the Plaintiff)

*(if Plaintiff signs, attach Affidavit of Execution)*

**AND BY:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Defendant (OR Lawyer for the Defendant)

*(if Defendant signs, attach Affidavit of Execution)*