Ontario Small Claims Court: Deadlines, Agreements and Special Requirements



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New Rules for Small Claims Court in Ontario: What You Need to Know

If you're thinking about bringing a claim in Ontario's Small Claims Court, there have been important updates and clarifications in recent years that many people still don't realize.

Understanding these can make a big difference in whether your claim succeeds or even whether you bring one at all.

1. You generally have 2 years to start a claim

In most cases, you have two years to start a claim after the issue arises. This comes from Ontario's limitation laws, not the Small Claims Court rules themselves.

This is important because many people still believe they only have a few months to act which is not correct for most civil claims.

That said, some exceptions apply depending on the type of claim, so timing should always be considered carefully.

2. Agreements do not always have to be in writing

A common misconception is that you need a written contract to bring a claim.

That's not true.

Verbal agreements can be legally enforceable, as long as you can prove:

- What was agreed to
- Who the parties were
- That there was an intention to create a binding agreement

Evidence like messages, emails, or witness testimony can help support your case.

3. You may be able to bring claims involving government entities

In certain situations, claims can be brought involving government-related parties.

However and this is where people get tripped up there are often:

- Shorter notice periods
- Special procedural requirements

So while it is possible, it's not as straightforward as a typical Small Claims matter.

Why this matters

Small Claims Court is designed to be more accessible, but that doesn't mean it's simple.

Missing a deadline, lacking evidence, or misunderstanding the rules can impact your claim.

Knowing these details ahead of time helps you:

- Protect your rights
- Prepare properly
- Avoid costly mistakes

Final note

This is general legal information, not legal advice.

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