



Subcontractor's Notice of Non-Payment Where Contractor Does Not Pay (Form 4)

(Section 32.5(6)(a) of the *Prompt Payment and Construction Lien Act*)

Name of Subcontractor:

Subcontractor Address:

Work site legal land description:

Name of Contractor:

Contractor Address:

Contractor Address for Service, if known:

(Complete for the Subcontractor who provided work or supplied materials in relation to the proper invoice.)

Subcontractor Name:

Subcontractor Address:

Subcontractor Address for Service, if known:

The Contractor submitted a proper invoice to the Owner in respect to work done or materials furnished on: _____.

(Please check the appropriate box)

- ☐ The Subcontractor has not received payment from the Contractor and will not pay the Subcontractor the amount under the subcontract that was included in the proper invoice within the time specified in subsection 32.5(1) of the *Prompt Payment and Construction Lien Act*.
- ☐ [Non-payment to a Subcontractor who is entitled to payment from a Subcontractor in accordance with section 32.5(11) of the *Prompt Payment and Construction Lien Act*]
The Subcontractor has not received payment from the Owner and will not pay the Subcontractor the amount under the subcontract that was included in the proper invoice within the time frame specified in subsection 32.5(1) of the *Prompt Payment and Construction Lien Act*.

Amount that will not be paid: (Please check the appropriate box)

- ☐ The full amount of the work provided or material supplied by the Subcontractor, being _____
- ☐ A portion of the amount of the work provided or material supplied by the Subcontractor, being _____

The Subcontractor hereby undertakes to refer the matter to adjudication under Part 5 of the *Prompt Payment and Construction Lien Act*, no later than 21 days after giving notice of the non-payment to the Subcontractor.

A copy of any Notice of Non-Payment received by the Subcontractor is enclosed.

Date

Signature (Subcontractor)