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| **FORM 1.4** |
| SUBCONTRACTOR NOTICE OF NON-PAYMENT WHERE CONTRACTOR DOES NOT PAY (SUBSECTION 6.6(6) OF THE ACT) |
|  |  | *Construction Act* |  |  |
| Name of subcontractor: |       |
| Address: |       |
| Description of the premises: |
|       |
| Name of contractor: |       |
| Address: |       |
| *(Complete for the subcontractor who supplied services or materials to an improvement in relation to the proper invoice)* |
| Name of subcontractor: |       |
| Address: |       |
| Address for service, if known: |       |
| The contractor submitted a proper invoice to the owner in respect of the improvement on |       | , 20 |    | . |
| *(Use A or B, whichever is applicable)* |
| [ ]  | A. | 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 6.6(1) of the *Construction Act*. |
| [ ]  | B. | [*Non-payment to a subcontractor who is entitled to payment from a subcontractor in accordance with subsection 6.6(11) of the Construction Act*]. The subcontractor has not received payment from the subcontractor and will not pay another subcontractor the amount payable under the subcontract that was included in the proper invoice within the time specified in subsection 6.6(1) of the *Construction Act*. |
| Amount that will not be paid: |
| *(Use A or B, whichever is applicable)* |
| A. | The full amount of the services or materials supplied by the subcontractor, being $ |       | . |
| B. | A portion of the amount of the services or materials supplied by the subcontractor, being $ |       | . |
| *(Include the following where applicable)* |
| The subcontractor hereby undertakes to refer the matter to adjudication under Part II.1 of the *Construction Act*, no later than 21 days after giving this notice of non-payment to the subcontractor. |
| A copy of any notice of non-payment received by the subcontractor is enclosed. |
| Date: |       |  |  |
|  |  |  | (Subcontractor) |