

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**(COMMERCIAL LIST)**

IN THE MATTER OF Section 101 of the  
*Courts of Justice Act* and Section 243 of the *Bankruptcy and Insolvency Act*

THE HONOURABLE ) FRIDAY, THE 14<sup>th</sup>  
 )  
MADAM JUSTICE DIETRICH ) DAY OF MAY, 2021

BETWEEN:

**CENTURION MORTGAGE CAPITAL CORPORATION**

Applicant

-and-

**1001 BROADVIEW AVENUE INC.**

Respondent

**ORDER**  
**(Administration and Interim Distribution)**

**THIS MOTION** made by the BDO Canada Limited ("**BDO**"), in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of the property municipally known as 995-1001, 1003 & 1005 Broadview Avenue, Toronto, Ontario and 2 & 4 Mortimer Avenue, Toronto, Ontario (collectively the "**Property**"), for the relief set out in the Notice of Motion dated May 4, 2021, including the approval of the sale transaction (the "**Transaction**") contemplated by an Asset Purchase Agreement between the Receiver in its capacity as Receiver of the Property and Mirshams Mousavi, in trust for a corporation to be incorporated (the

"Purchaser") made as of April 9, 2021 (the "Sale Agreement"), and vesting in the Purchaser 1001 Broadview Avenue Inc.'s (the "Debtor") right, title, benefit and interest in the assets described in the Sale Agreement (the "Purchased Assets") was heard this day by videoconference as a result of the Covid-19 pandemic.

**ON READING** the Motion Record of the Receiver and the Fourth Report of the Receiver dated May 4, 2021 (the "**Receiver's Fourth Report**"), the Confidential Supplemental Report of the Receiver dated May 4, 2021 (the "**Confidential Supplemental Report**"), the Affidavit of Irving Marks sworn May 4, 2021 (the "**Robins Fee Affidavit**") and the Affidavit of Josie Parisi sworn May 4, 2021 (the "**BDO Fee Affidavit**") and on hearing the submissions of counsel for the Receiver and any such other counsel or individual as were present, no one appearing for any other person on the service list, although properly served as evidenced by the Affidavit of Wendy Lee sworn May 10, 2021, filed.

## **SERVICE**

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service hereof.

## **DISTRIBUTIONS**

2. **THIS COURT ORDERS** that the Receiver is hereby authorized to make distributions to Centurion Mortgage Capital Corporation in accordance with paragraphs 32 to 35 of the Receiver's Fourth Report.

**SEALING**

3. **THIS COURT ORDERS** that the Confidential Supplemental Report is hereby sealed until the closing of the Transaction or upon further order of the Court.

**APPROVAL OF ACTIVITIES**

4. **THIS COURT ORDERS** that the activities of the Receiver as described in the Receiver's Fourth Report are hereby approved.

5. **THIS COURT ORDERS** that the of the Interim Receipts and Disbursements of the Receiver as described in the Receiver's Fourth Report are hereby approved.

6. **THIS COURT ORDERS** that the amended commission agreement between the Receiver and Avison & Young Commercial Real Estate (Ontario) Inc. ("**Avison**"), the realtor, as described in the Receiver's Fourth Report is hereby approved.

**APPROVAL OF RECEIVER' FEES AND EXPENSES**

7. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its legal counsel as described in the Receiver's Fourth Report, the BDO Fee Affidavit and the Robins Fee Affidavit are hereby approved.

A handwritten signature in cursive script, reading "Dietrich J.", is positioned above a solid horizontal line that extends across the width of the signature.

**CENTURION MORTGAGE  
CAPITAL CORPORATION**

- and-

**1001 BROADVIEW AVENUE INC.**

*Applicant*

*Respondent*

Court File No.: CV-20-00643617-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

PROCEEDING COMMENCED AT TORONTO

**ORDER  
(Administration and Interim Distribution)**

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