

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.) MONDAY, THE 24th
)
JUSTICE WILTON-SIEGEL) DAY OF JULY, 2017
)

CITY OF TORONTO

Applicant

- and -

JARVIS-GEORGE HOUSING CO-OPERATIVE INC.

Respondent

TRANSCRIPT OF ENDORSEMENT

July 24/17

R.E.Zuech for the applicant

The applicant seeks the appointment of the interim receiver as a receiver pursuant to section 101 of the Courts of Justice Act. The Court has the authority to make when such an order pursuant to section 85.7 of the Housing Services Act provided a triggering event under section 84 has occurred and one of the matters listed in section 90(5) has occurred and is continuing. In this case the record establishes the occurrence of triggering events listed in paragraphs 1, 10 and 11 of section 84. In addition, the circumstances described in paragraph (d) of section 90(5) have been established.

Section 90(6) of the Housing Services Act also requires that the requirements of that provision be satisfied in respect of the appointment of a receiver under paragraph 85.7. The requirements of section 90(6) have been complied with. I consider that the failure to mention the appointment of the receiver in the decision provided pursuant to section 90(6)(c) is not material given that the notice under section 90(7) identified the fact that the appointment of a receiver was contemplated.

Further, and most substantively, I am satisfied that the appointment of a receiver is required for the purpose not only of investigation of the affairs of the Project but also for the purpose of the recovery and protection of its assets, the continuance of its operations and the restoration [sic] of its financial and operational viability.

Order to go in the form attached.

Wilton-Siegel J.

BETWEEN:

CITY OF TORONTO

-and-

JARVIS-GEORGE HOUSING CO-OPERATIVE INC.

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Proceeding commenced at Toronto

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