

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**IN THE MATTER OF SECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*,  
R.S.C. 1985, C. B-3, AS AMENDED, SECTION 101 OF THE *COURTS OF JUSTICE ACT*,  
R.S.O. 1990 C. C.43, AS AMENDED, AND SECTION 68 OF THE *CONSTRUCTION ACT*,  
R.S.O. 1990, C. 30**

THE HONOURABLE ) THURSDAY, THE 27<sup>TH</sup>  
 )  
JUSTICE DIETRICH ) DAY OF AUGUST, 2020

B E T W E E N:

*(Court Seal)*

**C & K MORTGAGE SERVICES INC.**

Applicant

- and -

**CAMILLA COURT HOMES INC. and ELITE HOMES INC.**

Respondents

**ORDER**

**THIS MOTION** made by the Moving Party Yong Yeow (Jeremy) Tan (“**Tan**”), for an Order directing Rosen Goldberg Inc., in its capacity as Court-appointed receiver and trustee (in such capacities, the “**Receiver**”) of all of the assets, undertakings and properties of the Respondents Camilla Court Homes Inc. and Elite Homes Inc. (“**Elite**”) acquired for, or used in relation to a business carried on by them, including, *inter alia*, the lands and premises municipally

known as 180 Mateo Place (the “**Mateo Property**”) and all proceeds thereof, to complete the agreement of purchase and sale made between Elite, as vendor, and Tan, as purchaser, dated February 12, 2020, for the sale of the Mateo Property, was heard on August 21, 2020 by Zoom judicial video conference due to the COVID-19 pandemic.

**ON READING** the Affidavit of Tan sworn August 6, 2020 and the Exhibits thereto, the Affidavit of Gary Gruneir sworn August 11, 2020 and the Exhibits thereto, the transcript of the cross-examination of Tan held on August 14, 2020, the First Report of the Receiver dated August 17, 2020 and the Appendices thereto, and the answers to undertakings of Tan given on his cross-examination, and on hearing the submissions of counsel for Tan, counsel for the Applicant C & K Mortgage Services Inc. (the “**Applicant**”), and counsel for the Receiver, no one else on the service list appearing, although served,

1. **THIS COURT ORDERS** that this motion be and is hereby dismissed.
2. **THIS COURT ORDERS** that Tan shall pay the Applicant its costs of this motion in the amount of \$20,000, inclusive of HST and disbursements.
3. **THIS COURT ORDERS** that notwithstanding Rule 59.05, this order is effective from the date that it is made, and is enforceable without any need for entry and filing. In accordance with Rule 77.07(6) and 1.04, no formal order need be entered and filed unless an appeal or a motion for leave to appeal is brought to an appellate court. Any party may nonetheless submit a formal order

for original signing, entry and filing when the Court returns to regular operations.

*Dietrich J.*

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**C & K MORTGAGE SERVICES INC.**  
Applicant

-and-

**CAMILLA COURT HOMES INC. et al**  
Respondents

Court File No. CV-20-00643021-00CL

**ONTARIO**  
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**PROCEEDING COMMENCED AT TORONTO**

**ORDER**

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