

ONTARIO
SUPERIOR COURT OF JUSTICE – COMMERCIAL LIST

BETWEEN:

CITY OF TORONTO

Applicant

and

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC

Respondent

AIDE MEMOIRE OF THE CITY OF TORONTO
(Motion returnable on June 20, 2025)

1. The motion before this Honourable Court is being brought by the TDB Restructuring Limited (the “**Receiver**”), in its capacity as court-appointed receiver-manager of the Harry Sherman Crowe Housing Co-operative Inc. housing provider (“**Harry Sherman**” or the “**Co-op**”), seeks an Order approving:
 - (a) Its Second Report, Quarterly Reports, and the activities and conduct described therein;
 - (b) The fees and disbursements of the Receiver; and
 - (c) A process for requesting expressions of interest and qualifications from the members of Harry Sherman to serve as on the Board of Directors of the Co-op (the “**RFEIQ Process**”).
2. The City of Toronto, in its capacity as the Service Manager responsible for monitoring and funding housing provider organizations in its jurisdiction (the “**City**” or the “**Service**”

Manager”), has prepared this brief submission to share its position on the RFEIQ process the Receiver has developed and asks this Court to endorse.¹

3. The RFEIQ process² is one that proposes transparently engaging with the broader membership of Harry Sherman to inform them about: (i) The status of the Co-op; and (ii) The qualifications, duties, and responsibilities associated with volunteering to serve as a member of the Co-op’s Board of Directors. It contemplates the organization of a Town Hall, where this information would be shared³, and inviting members of the federal and local non-profit sector organizations that support co-operative housing providers (CHFC and CHFT⁴) to attend at said Town Hall to speak to the members and to answer questions about co-operative housing principles and what is expected of those managing a housing co-operative, from a governance perspective.
4. The RFEIQ process then contemplates engaging with an informed membership to gauge their interest and their capacity to serve as potential Co-op Board members. Members will

¹ The City appreciates that the Court’s endorsement timetabling the within motion contemplated the exchange of material as between the Receiver and any member of the Harry Sherman Board of Directors who wished to review the material prepared by the Receiver and to participate on the motion. There is no provision for the delivery of material on behalf of the City. The City took no issue with this timetabling. The motion before the Court – in particular the relief sought with respect the Receiver’s activities, conduct and fees – relates to matters that took place during the Receiver’s tenure as steward of the housing project pursuant to the March 14, 2023, Order that appointed them (the “**Appointment Order**”, found at Tab 2A of the ***Receiver’s Motion Record***, at page 40). It specifically relates to matters that have taken place subsequent to the April 29, 2024, Order of this Court, which approved the Receiver’s activities, conduct, fees, and disbursements since the issuance of the Appointment Order and as described in the Receiver’s first and Supplementary Reports (the April 29th Order can be found at Tab 2F of the ***Receiver’s Motion Record***, at page 98). The Receiver is best positioned to – and has – articulated the basis upon which it is seeking relief. The Service Manager remains supportive of the relief the Receiver is seeking for the reasons the Receiver has set out in its motion materials.

² The RFEIQ process can be found at T of the ***Receiver’s Motion Record***, at page 1013.

³ The information will also be shared through other channels, including through email, where possible.

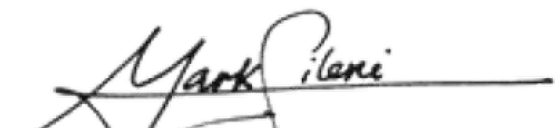
⁴ The **Co-operative Housing Federation of Canada** and the **Co-operative Housing Federation of Toronto**.

be invited to express their interest in serving on the Board, and to share those qualifications which they feel make them suitable candidates with Receiver.

5. The final stage of the proposed RFEIQ process entails the Receiver reviewing and evaluating the responses it receives from the membership and any additional feedback it may receive from the Service Manager, and the housing provider's landlord - York University. The Receiver will then move before this Court to report on the results of the RFEIQ process and to make a further recommendation to the Court about next steps.
6. This process is consistent with the authority granted to the Receiver by the Appointment Order, and with the provisions of the *Housing Services Act* and the *Co-operative Corporations Act*.
7. The Service Manager endorses the proposed RFEIQ process as an appropriate way to consult with the membership and other key stakeholders in the social housing project. It will afford the Receiver the opportunity to gather information that may prove helpful in formulating a recommendation for the Court's consideration about how to best transition out of the Receivership in a way that ensures that the housing project can continue to operate as a viable going concern.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Dated: June 19, 2025



Mark Siboni
Lawyer for the Applicant (Responding Party)
the City of Toronto

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Applicant (Responding Party)

- and -

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Proceeding commenced at Toronto

**AIDE MEMOIRE OF THE
CITY OF TORONTO**

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