

ONTARIO SUPERIOR COURT OF JUSTICE

(COMMERCIAL LIST)

B E T W E E N:

CITY OF TORONTO

Applicant

- and -

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

Respondent

**MOTION RECORD
(Returnable April 14, 2026)**

March 02, 2026

Betty's Law Office
2300 Yonge Street
Suite 1600
Toronto, ON
M4P 1E4

Courtney Betty (LSO# 28347U)
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Email: betty@bettyslaw.com
Cc: tenechia@bettyslaw.com

Counsel for the Respondent

TO: CITY SOLICITOR'S OFFICE

City of Toronto
Station 1260, 26th Floor
Metro Hall, 55 John Street
Toronto, Ontario M5V 3C6

Mark Siboni (LSO #50101V)

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Counsel for the City of Toronto

And To : WeirFoulds LLP

Barristers & Solicitors
TD Bank Tower Suite 4100, P.O. Box 35
66 Wellington Street West Toronto,
ON M5K 1B7

Philip Cho (LSO # 45615U)

pcho@weirfoulds.com

Tel: 416-365-1110

Fax: 416-365-1876

Counsel to the Receiver

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

B E T W E E N:

CITY OF TORONTO

Applicant

- and -

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

Respondent

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Tab	Document
1.	Amended Notice of Motion dated March 02, 2026
2.	Affidavit of Courtney Betty sworn on February 06, 2026
3.	Affidavit of Sareeda Nur sworn on March 02, 2026

TAB

1

ONTARIO SUPERIOR COURT OF JUSTICE-
COMMERCIAL LIST

BETWEEN:

CITY OF TORONTO

Applicant

And

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

Respondent

Amended Notice of Motion
(Returnable on ~~19 February 2026~~)
(Returnable on 14 April 2026)

The Respondent, Harry Sherman Crowe Housing Co-operative Inc. (the "Co-op"), will make a motion to a Judge presiding over the Commercial List at 330 University Avenue, Toronto, Ontario, on ~~February 19, 2026, at 10:00am~~ April 14, 2026 at 10:00am, or as soon after that time as the motion can be heard.

PROPOSED METHOD OF HEARING: The motion is to be heard (*choose appropriate option*)

- In writing under subrule 37.12.1 (1) because it is (*insert one of on consent, unopposed or made without notice*);
- In writing as an opposed motion under subrule 37.12.1 (4);
- In person;
- By telephone conference;
- By video conference.

at the following location: ~~Judicial Video Conference link to be provided in Case Center.~~ 330 University Ave., Toronto, ON.

THE MOTION IS FOR:

1. Approving the legal fees incurred by the Counsel for the Respondent, Harry Sherman Housing Co-operative Inc. (“HSC”) and its Board of Directors with respect to court hearing date December 11, 2025, in the amount of \$13,644.75
2. Authorizing TBD Restructuring Ltd. (“TBD”) in its capacity as court-appointed receiver and manager of Harry Sherman Housing Co-operative Inc. to pay outstanding legal fees to the Respondent's counsel with respect to court hearing date December 11, 2025.
3. Such further and other reliefs as this Honourable Court may deem just.

THE GROUNDS FOR THE MOTION ARE:

1. On December 03, 2025, the Receiver brought a motion returnable December 11, 2025, for:
 - i. *Authorizing and directing the Receiver to continue developing the requirement and viability of options available to the HSC for the purpose of developing a process, subject to the court approval...*
 - ii. *Authorizing the Receiver to engage in considering and where appropriate, approving applications for membership to HSC and unit transfer requests, in accordance with the provisions of the Co-operative Corporations Act, R.S.O. 1990, c. C.35 and the by-laws of HSC;*
 - iii. *Approving the Third Report to the Court dated November 20, 2025 (the “Third Court Report”) and the activities and conduct of the Receiver described therein;*
 - iv. *Approving the interim statement of receipts and disbursements of the Receiver;*
 - v. *Approving the fees and disbursements of the Receiver and its counsel; and*
 - vi. *Such further and other relief as this Honourable Court may deem just.*
2. The legal fees for which approval is sought were reasonably and necessarily incurred as a result of counsel’s preparation for, and representation of, the Respondent, Harry Sherman Crowe Housing Co-operative Inc. (“HSC”), at the hearing held on December 11, 2025. Counsel was required to review the Receiver’s Third Report, prepare responding materials, advise the Board, engage with the Receiver and the City, and attend before the Court to address the relief sought.
3. At the December 11, 2025, hearing, counsel for the Board actively participated in resolving issues raised by the Receiver’s motion, including objections to the Receiver’s request for authority to approve new membership applications, which resulted in amendments to the proposed order and the removal of that aspect of the relief sought.
4. Pursuant to paragraph 11 of the Endorsement of Justice Kimmel dated December 16, 2025, the Court stated that Mr. Betty raised the matter of his fees at the conclusion of the hearing, but the Court had no material or time to consider them, and that “*if a motion is required to deal with Mr. Betty’s fees, a separate scheduling appointment may be booked for the court to schedule and timetable that motion*” This motion is brought in compliance with that direction.

5. On February 19, 2026, Justice Kimmel endorsed that Mr. Betty's motion for approval of his fees shall proceed and fixed a hearing date of April 14, 2026. The Court further established a timetable governing the delivery of the motion materials in advance of the hearing.
6. The fees incurred are fair, proportionate, and consistent with the complexity and importance of the issues addressed at the December 11, 2025, hearing, including the Receiver's request for approval of its Third Report, its activities, its statement of receipts and disbursements, and its own fees and those of its counsel.
7. Independent legal representation for HSC and its Board was necessary to ensure that their statutory obligations, governance responsibilities, and rights under the Co-operative Corporations Act, R.S.O. 1990, c. C.35 were properly protected and presented to the Court in the context of the ongoing receivership.
8. It is appropriate that the Receiver be authorized to pay these fees from the receivership estate, as the Respondent and its Board do not have independent access to funds, and the work performed contributed to the orderly administration of the receivership and the Court's understanding of the issues before it.
9. Rules 1.04, 3.02, 37, and 57 of the *Rules of Civil Procedure* and sections 131 and 138 of the *Courts of Justice Act, R.S.O. 1990, c. C.43* support the Court's authority to approve and direct payment of reasonable legal fees incurred in connection with court proceedings.
10. Such further and other grounds as counsel may advise and this Honourable Court may permit.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

1. Fess Affidavit of Courtney Betty and exhibits thereto,
2. Supporting Affidavit of Sareeda Nur and exhibits thereto and
3. Such further and other evidence as this Honourable Court may permit.

Dated at Toronto this ~~06 day of February, 2026.~~ 02 day of March 2026.

BETTY'S LAW OFFICE
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ON M4P 1E4
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TO: CITY SOLICITOR'S OFFICE

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And To : WeirFoulds LLP

Barristers & Solicitors
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ON M5K 1B7

Philip Cho (LSO # 45615U)

pcho@weirfoulds.com

Tel: 416-365-1110

Fax: 416-365-1876

Counsel to the Receiver

Court File No. CV-22-00688248-00CL

BETWEEN

CITY OF TORONTO and

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

(Applicant)

(Respondent)

ONTARIO

SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT TORONTO

AMENDED NOTICE OF MOTION

BETTY'S LAW OFFICE

2300 Yonge Street, Suite 1600

Toronto, ON

M4P 1E4

Courtney Betty (LSO # 28347U)

Tel: 416-972-472

Email: betty@bettyslaw.com

tenechia@bettyslaw.com

TAB

2

ONTARIO
SUPERIOR COURT OF JUSTICE- COMMERCIAL LIST

BETWEEN:

CITY OF TORONTO

Applicant

And

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

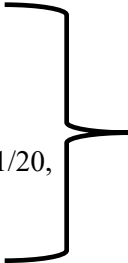
Respondent

AFFIDAVIT OF SERVICE

I, Courtney Betty, of the City of Toronto in the Province of Ontario, MAKE OATH AND SAY:

- 1. I am the Senior Partner of the Law Firm Betty’s Law Office Professional Corporation (“Betty’s Law Office”), lawyers for the Respondent, Harry Sherman Crowe Housing Co-operative Inc. in this proceeding. As such, I have knowledge of the matters to which I hereinafter depose. Where I do not have personal knowledge of the matters set out below, I state the source of my information and verily believe such information to be true.
- 2. Attached hereto and marked as “**Exhibit A**” is invoice #1401 for legal fees incurred with respect to the preparation and attendance to court hearing on December 11, 2026.

SWORN by Courtney Betty
of the City of Toronto in the
Province of Ontario, before me at
the City of Toronto, in the Province of Ontario,
on February 06, 2026, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Julian Castro Ortiz
.....
[Julian Castro Ortiz \(Feb 6, 2026 13:54:34 EST\)](#)
.....
Commissioner for Taking Affidavits
Julian Castro Ortiz
Barrister and Solicitor LSO #77258V

Courtney Betty
.....
[Courtney Betty \(Feb 6, 2026 13:55:51 EST\)](#)
.....
Courtney Betty
Signature of the Deponent

This is **Exhibit “A”** mentioned and referred to in the

Affidavit of Courtney Betty

Affirmed this 06th day of February 2026

Julian Castro Ortiz

[Julian Castro Ortiz \(Feb 6, 2026 13:54:34 EST\)](#)

.....
A Commissioner for Taking Affidavit

Julian Castro Ortiz

Barrister and Solicitor LSO #77258V

Betty's Law Office Professional Corporation
 2300 Yonge Street
 Suite 1600
 Toronto, ON M4P 1E4
 Phone: 416-972-9472

INVOICE

Harry Sherman Crowe Housing Co-operative
 51 The Chimneystack Road
 North York, M3J 3L9

Date: 02/06/2026

Attention: Harry Sherman Crowe Housing Co-operative

Invoice #: 1401

File #: 21-1015

Our Fee Herein

Date	LWR	Description	Hours	Rate	Amount
4-5/12/2025	CB	Receipt, review and analysis of Receiver's motion dated December 03, 2025, Vol. 1 & 2	5	\$650.00	\$3,400.00
08/12/2025	CB	Review of Townhall meeting recording dated August 19, 2025	1.5	\$650.00	\$1,020.00
10/12/2025	CB	Preparation and finalization of Respondent's Factum and Affidavit of Sareeda Nur sworn on 10 December 2025	5	\$650.00	\$3,400.00
10/12/2025		Service of Factum of the Respondent and Affidavit of Sareeda Nur on Counsels Mark Siboni and Philip Cho via email. Preparation and finalization of Affidavit of Service. Filing of Respondent's Factum, Affidavit of Sareeda Nur and Affidavit of Service	.5	\$150.00	\$75.00
10/12/25	CB	Email communications with Philip Cho with respect to negotiating the reliefs sought in the Receiver's Motion Record dated 03 December 2026 as well as discussion on the proposed cost outline for legal fees relating to court hearing 11 December 2025	.2	\$650.00	\$130.00
06/06/2025	CB	Preparation for Arguments at case conference scheduled for December 11, 2025	5	\$650.00	\$3,400.00
06/13/2025	CB	Attendance at Case Conference scheduled for December 11, 2025	1	\$650.00	\$650.00

For professional services	18.20	\$12, 075.00
HST		\$ 1,569.75
Total fees including HST		\$13, 644.75

HST# 818737421 RT0001

Court File No. CV-22-00688248-00CL

BETWEEN

CITY OF TORONTO and

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

(Applicant)

(Respondent)

ONTARIO

SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT TORONTO

AFFIDAVIT OF COURTNEY BETTY

BETTY'S LAW OFFICE

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Toronto, ON

M4P 1E4

Courtney Betty (LSO # 28347U)

Tel: 416-972-472

Email: betty@bettyslaw.com

tenechia@bettyslaw.com

TAB

3

**ONTARIO SUPERIOR COURT OF JUSTICE-
COMMERCIAL LIST**

BETWEEN:

CITY OF TORONTO

Applicant

And

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

Respondent

**AFFIDAVIT OF SAREEDA NUR
(Sworn on 02 March 2026)**

I, SAREEDA NUR, of the City of Toronto in the Province of Ontario, Make OATH NAD SAY:

1. I am a duly elected member of the Board of Directors (the “Board”) of Harry Sherman Crowe Housing Co-operative Inc. (the “Co-op”), and as such have knowledge of the matters hereinafter deposed to, save and except where stated to be on information and belief and, in such cases, I believe them to be true.
2. I swear this affidavit in support of the amended motion requesting this Honourable Court to authorize the payment of legal fees incurred by the Board to its legal counsel, Betty’s Law Office, from the Co-op’s funds currently held by the court appointed Receiver.
3. The Co-op is an independent, self-governing co-operative housing corporation that operates as a housing provider under the mandates of the Housing Services Act, 2011. It is governed by an elected Board of Directors chosen by its membership.
4. The Board is responsible for corporate governance and decision making, including providing direction to building management and staff who oversee the day-to-day operations of the Co-op.
5. The Co-op’s housing complex is located at 51 The Chimneystack Road in the City of Toronto, on lands owned by and leased from York University. The campus consists of a series of townhome blocks and a residential apartment building constructed in or about 1993.
6. The community served by the Co-op is, and remains today, comprised overwhelmingly of vulnerable diverse residents. Over 95 percent of the occupants

are single women with children who rely on the Co-op as their primary source of stable housing. Many residents are survivors of domestic violence, individuals living with physical or mental health challenges, newcomers to Canada, elderly persons on fixed incomes, and individuals with disabilities. The Co-op is not merely housing; for many residents it is a last refuge. Without it, a significant number of these families would face housing insecurity or homelessness.

7. The challenges facing this community are ongoing. Residents continue to experience poverty, housing insecurity, trauma, social isolation, and limited access to resources. Many households are sustained by fixed or modest incomes and have little capacity to absorb additional financial or social instability. The concentration of vulnerable populations within this housing complex requires thoughtful governance, careful oversight, and meaningful representation. It is in this present context that the Board has sought legal representation to ensure that the interests of these residents are properly protected and heard before this Honourable Court.
8. I chose to serve on the Board because, in my view, no other individual or institutional body stepped forward to meaningfully assist our community during a period of crisis.
9. I have served as a member of the Board since 2019 and have resided in the Co-op community for several years. In order to address issues raised by the City of Toronto and to participate meaningfully in receivership proceedings, the Board approved retaining Betty's Law Office to provide legal assistance and representation.
10. I also wish to advise this Honourable Court that Ms. Rosell Kerr, a long standing and devoted member of our community and a former Board member, passed away on Friday, February 20, 2026. Ms. Kerr dedicated years of service to the Co op and to its residents. Since 2019, she worked tirelessly to ensure that essential services continued and the Co-op remained operational during extremely challenging circumstances.
11. During the receivership proceedings, Ms. Kerr was repeatedly accused by the Receiver and by the City of Toronto of dishonesty and misconduct. These allegations were deeply distressing to her. In my respectful view, they did not reflect the reality of her efforts or her intentions. Her involvement was motivated by a desire to preserve housing stability and to protect the community.
12. In light of Mrs. Kerr's passing and the years of service she devoted to the Co-op, I have determined that I must continue the work she began and ensure that the interests of our community remain properly represented before this Honourable Court.
13. On **March 14, 2023**, the Ontario Superior Court of Justice (Commercial List) issued an Order (the "Receivership Order") appointing RSM Canada Limited as Receiver and Manager (the "Receiver") of all assets, undertakings, and properties of the Co-op under section 85(7) of the Housing Services Act, 2011, and section 101 of the Courts of Justice Act.
14. The Receivership was sought by the City of Toronto in its role as Service Manager under the HSA due to concerns about governance, financial control, and property management. The Receiver was granted broad powers, including control over all funds of the Co-op.

15. Despite the appointment of the Receiver and the stated intention that the Receivership would stabilize governance and operations, the underlying challenges facing the community have not materially changed. Residents continue to experience financial hardship, social vulnerability, and uncertainty regarding the future of their housing. The day to day lived realities of the families residing at the Co-op remain difficult, and many of the concerns that led to the Receivership continue to affect the community.
16. In these circumstances, it is essential that the elected Board have independent legal representation to ensure that the interests of the Co-op and its vulnerable residents are properly articulated before this Honourable Court.
17. The Board does not have direct access to the Co-op's funds, as those funds are under the control of the Receiver. Without authorization for payment of legal fees to Betty's Law Office, the Board's ability to participate meaningfully in these proceedings and to advocate for the community it serves would be significantly impaired. In practical terms, this would place the vulnerable residents represented by the Board at a serious disadvantage in proceedings that directly affect their housing stability and daily lives
18. It was for these reasons that, in 2022, in anticipation of the Receivership Application and in response to escalating governance concerns, the Board retained Betty's Law Office, represented by Mr. Courtney Betty, to provide legal counsel and representation. The Board recognized that the issues before the Court were complex and the interests of the Co-op's vulnerable membership required professional legal advocacy. Mr. Betty represented the Board in the initial receivership proceedings before this Honourable Court, in subsequent related hearings, and in ongoing communications with the Receiver and the City.
19. Since its appointment, Betty's Law Office has continued to assist the Board in its efforts to participate meaningfully in the receivership proceedings and to protect the interests of Co-op members. This assistance has included reviewing court filed materials, preparing responding motion materials, attending hearings, and advising on governance issues arising under the Housing Services Act. Without such assistance, the Board would not have been in a position to properly understand, respond to, or engage with the legal and operational issues arising in the course of the Receivership.
20. The powers of the Receiver appointed under subsection 85(7) of the Housing Services Act are governed by the Appointment Order. Since the issuance of that Order, the Receiver has brought multiple motions before this Honourable Court seeking approval of its reports, activities, receipts and disbursements, and its fees and those of its counsel. Betty's Law has participated in those proceedings on behalf of the Board, reviewing materials, preparing responding submissions where required, and attending hearings to ensure that governance concerns and the interests of the Co-operative's members were addressed
21. Building on that participation, the Board again required representation when, on December 3, 2025, the Receiver brought a motion returnable December 11, 2025, seeking approval of its Third Report, its activities, receipts and disbursements, and its fees and those of its counsel.

22. I am advised by counsel for the Board, Courtney Betty, at the December 11, 2025, hearing, that he did raise the Board objections to the proposed authorization permitting the Receiver to approve applications for new membership to the Co-operative. The admission of new members affects the composition of the corporation, voting rights within the membership, and the long-term governance structure of the Co-operative. The Board's objection was confined to that governance issue.
23. As reflected in the December 11, 2025, endorsement, the proposed relief granting the Receiver authority over new membership approvals was removed from the order and the issue was deferred. The order approving the Receiver's Third Report, activities, and fees was otherwise granted.
24. The motion proceeded on the scheduled date. Counsels were able to reach an agreement on most issues, and the matter concluded without adjournment or delay. The Board's participation did not disrupt the administration of the receivership.
25. I am further advised by counsel, Courtney Betty, that on December 9, 2025, he delivered to counsel for the Receiver a draft Cost Outline for the December 11, 2025, hearing. I am also advised following the discussions between counsel that same day, counsel for the Receiver indicated that he has no objections with the draft cost outline but confirmed via email that he will take no position and allow Mr. Betty to raise such on the December 11, 2025, hearing. **A copy of the email correspondence and the draft Cost Outline dated December 9, 2025, are attached hereto as Exhibit "A".**
26. I am informed by counsel that at the conclusion of the December 11, 2025, hearing, he raised the issue of his fees before the Court. I am informed that the Court indicated it had no material or time to consider the fees at that time and directed that, if required, a separate scheduling appointment could be booked to address the issue.
27. On December 16, 2025, the Court endorsed that if a motion was required to deal with Mr. Betty's fees, a separate scheduling appointment could be booked.
28. On February 6, 2026, Mr. Betty served a Notice of Motion seeking approval of his fees and authorization for the Receiver to pay them from the receivership estate. On February 19, 2026, the Court endorsed that the motion would proceed, scheduled it for April 14, 2026, and set binding deadlines for motion records and factums.
29. Betty's Law Office submitted Invoice No. 1401 dated February 6, 2026, for legal fees incurred in connection with the December 11, 2025, hearing in the total amount of \$13,644.75 inclusive of HST. A true copy of that invoice was attached before this Honourable Court as Exhibit "A" to the Affidavit of Courtney Betty affirmed on February 6, 2026.
30. All legal services provided were necessary, performed in good faith, and billed at reasonable rates consistent with comparable services. The Board supports the disbursement of these fees.
31. The Board does not have access to independent operational funds. All Co-op accounts and financial assets remain under the exclusive control of the Receiver. As such, the Board respectfully requests that the Court authorize the Receiver to

pay the outstanding legal fees from Co-op funds currently under the Receiver's control.

- 32. Payment of these fees will not prejudice any other stakeholders or creditors of the Co-op. The amount sought represents a modest and fair disbursement necessary to ensure the Board continues to be represented during the Receivership.
- 33. I swear this affidavit in support of the within motion and for no improper purpose.

SWORN by Sareeda Nur
of the City of Toronto in the
Province of Ontario, before me at
the City of Toronto, in the Province of Ontario,
on March 02, 2026, in accordance with O. Reg. 431/20,
Administering Oath or Declaration Remotely.



Julian Castro Ortiz
Julian Castro Ortiz (Mar 2, 2026 17:54:34 EST)
.....
Commissioner for Taking Affidavits
Julian Castro Ortiz
Barrister and Solicitor LSO #77258V

Sareeda Nur
Sareeda Nur (Mar 2, 2026 17:53:26 EST)
.....
Sareeda Nur
Signature of the Deponent

This is **Exhibit “A”** mentioned and referred to in the

Affidavit of Sareeda Nur

Affirmed this 02nd day of March 2026

Julian Castro Ortiz

[Julian Castro Ortiz \(Mar 2, 2026 17:54:34 EST\)](#)

.....
A Commissioner for Taking Affidavit

Julian Castro Ortiz

Barrister and Solicitor LSO #77258V

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

B E T W E E N:

CITY OF TORONTO

Applicant

- and -

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

Respondent

**COST OUTLINE OF THE RESPONDENT
(Motion Returnable: December 11, 2025)**

The Respondent provides the following draft outline of costs for court approval in respect to legal representation provided by Betty's Law Office for the Harry Sherman Housing Co-operative for the case conference scheduled on December 11, 2025.

Substantial Indemnity fees (as detailed below) **-\$12, 294.40**

The hours spent, the rates sought for costs, and the rate actually charged by the party's lawyers:

FEE ITEMS	Person (Year to Call)	Hours	Substantial indemnity Rate 80% \$680	Actual Rate \$850.00
Receipt, review and analysis of Receiver's motion dated December 03, 2025	Courtney Betty	5	\$3, 400.00	\$4,250.00
Review of Townhall meeting recording dated August 19, 2025	Courtney Betty	1.5	\$1, 020.00	\$1,275.00
Preparation and finalization of Responding Motion Record and Factum	Courtney Betty	5	\$3, 400.00	\$4,250.00
Preparation for Arguments at case conference	Courtney Betty	3.5	\$2, 380.00	\$2, 975.00

Attendance at Case Conference scheduled for December 11, 2025	Courtney Betty	1	\$680.00	\$850.00
Sub-total			\$10, 880.00	\$13, 600.00
HST			\$1, 414.40	\$1, 768.00
Total			\$12, 294.40	\$15, 368.00

December 09, 2025

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Courtney Betty (LSO # 28347U)

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Tel: 416-972-9472

Lawyers for the Respondent
Harry Sherman Housing Co-operative Inc.

CITY OF TORONTO

Applicant

-and- **HARRY SHERMAN CROWE HOUSING CO-OPERATIVE
INC.**

Respondent

Court File No. CV-22-00688248-00CL

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

PROCEEDING COMMENCED AT
TORONTO

COST OUTLINE OF THE RESPONDENT

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Courtney Betty (LSO# 28347U)
betty@bettyslaw.com.com

Cc: tenechia@bettyslaw.com

Tel: 416-972-9472

**Lawyers for the Respondent,
Harry Sherman Housing Co-
operative Inc.**

Tenechia Williams

From: Philip Cho <pcho@weirfoulds.com>
Sent: December 9, 2025 5:29 PM
To: Courtney Betty
Cc: Tenechia Williams; Kelsey Ivory; Alexandra Noppers
Subject: Re: Harry Sherman Crowe // CV-22-00688248-00CL

Mr. Betty, thank you for your Draft Cost Outline. Based on our discussions, my understanding was that there may not be any reason for the Board to respond to the upcoming motion on December 11. You have also had a chance to review the Third Report and our request for relief following our discussion. I am not aware of what position the Board intends to take that would necessitate responding materials and a factum.

In any event, I do not believe there is sufficient time before December 11 to have the Court approve this budget as required (see Justice Kimmel's endorsement of June 3 at para. 40). The process directed by Justice Kimmel does not relieve the Board of seeking approval from the Court of any funding. As such, I am not certain from Ms. Williams' email to me, what it is you are asking the Receiver to do with the Draft Cost Outline.

From: Tenechia Williams <tenechia@bettyslaw.com>
Sent: Tuesday, December 9, 2025 4:23:49 PM
To: Philip Cho <pcho@weirfoulds.com>
Cc: Courtney Betty <betty@bettyslaw.com>; a33abcda24cb46679233191ff232d7de@lawmail.cosmolex.com <a33abcda24cb46679233191ff232d7de@lawmail.cosmolex.com>
Subject: RE: Harry Sherman Crowe // CV-22-00688248-00CL

[External Message]

Dear Philip,

Trust all is well.

Further to the discussions between yourself and Mr. Betty, please see the attached draft cost outline.

Tenechia Williams

Operations Manager, LLB, LLM

Betty's Law Office

2300 Yonge St, #1600

Toronto, ON, M4P 1E4



416-972-9472 ext. 105

<https://bettyslaw.com>

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Sent.

PHILIP CHO | Partner | T. 416-619-6296 | C. 647-638-7828 | pcho@weirfoulds.com



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From: Courtney Betty <betty@bettyslaw.com>

Sent: December 10, 2025 8:34 PM

To: Philip Cho <pcho@weirfoulds.com>

Cc: Angela Jameer <ajameer@weirfoulds.com>; Bobbie-Jo Brinkman <bbrinkman@weirfoulds.com>; Betty's Law Office <info@bettyslaw.com>; Julian Castro <julian@bettyslaw.com>; a33abcda24cb46679233191ff232d7de@lawmail.cosmolex.com; Tenechia Williams <tenechia@bettyslaw.com>; Mark Siboni <Mark.Siboni@toronto.ca>

Subject: Re: City of Toronto v. Harry Sherman Crowe Housing Co-operative Inc. - CFN.: CV-22-00688248-00CL

[External Message]

Agreed

Sent from my iPhone

On Dec 10, 2025, at 7:17 PM, Philip Cho <pcho@weirfoulds.com> wrote:

Thanks. Confirming that we don't take a position on the budget but will let you raise that tomorrow if her Honor permits. I am not putting it in my note to the judge as she has nothing before her on that.

I will revise the note to her Honour as follows (changed part in bold). Please confirm you are Ok with this.

Dear Justice Kimmel,

We write further to the hearing on the Harry Sherman Co-operative Housing receivership matter tomorrow (December 11). Counsel to the Board and counsel to the Receiver have had discussions in the late afternoon and have come to a resolution

such that the Board no longer opposes the Receiver's motion, **except with respect to the approval of membership and unit-transfer applications, which requires further discussion with the Board.** Counsel wanted your Honour to be aware of the status as early as possible.

Thank you.

From: Courtney Betty <betty@bettyslaw.com>
Sent: Wednesday, December 10, 2025 7:11 PM
To: Philip Cho <pcho@weirfoulds.com>
Cc: Angela Jameer <ajameer@weirfoulds.com>; Bobbie-Jo Brinkman <bbrinkman@weirfoulds.com>; Betty's Law Office <info@bettyslaw.com>; Julian Castro <julian@bettyslaw.com>; a33abcda24cb46679233191ff232d7de@lawmail.cosmolex.com>; a33abcda24cb46679233191ff232d7de@lawmail.cosmolex.com>; Tenechia Williams <tenechia@bettyslaw.com>; Mark Siboni <mark.siboni@toronto.ca>
Subject: Re: City of Toronto v. Harry Sherman Crowe Housing Co-operative Inc. - CFN.: CV-22-00688248-00CL

[External Message]

Phillip,

I confirm our conversation. Can we delay addressing this issue until our return date.

- No opposition to the Receiver taking on the function of reviewing and approving membership and unit transfer applications, in compliance with the Co-op Act and the By-laws.

This requires further discussions as to the potential impact. Please notify the Court of our Agreement . And also the no objection to the potential cost request which we forwarded. Happy we were able to get this done.

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From: Philip Cho <pcho@weirfoulds.com>
Date: Wednesday, December 10, 2025 at 5:13 PM
To: Courtney Betty <betty@bettyslaw.com>
Cc: Angela Jameer <ajameer@weirfoulds.com>, Bobbie-Jo Brinkman <bbrinkman@weirfoulds.com>, Betty's Law Office <info@bettyslaw.com>, Julian Castro <julian@bettyslaw.com>, a33abcda24cb46679233191ff232d7de@lawmail.cosmolex.com

<a33abcda24cb46679233191ff232d7de@lawmail.cosmolex.com>, Tenechia Williams <tenechia@bettyslaw.com>, Mark Siboni <mark.siboni@toronto.ca>

Subject: RE: City of Toronto v. Harry Sherman Crowe Housing Co-operative Inc. - CFN.: CV-22-00688248-00CL

Mr. Betty,

Thank you for the call moments ago. As I mentioned to you, we have prepared an Aide Memoire that addresses the late-filed materials. That will be served momentarily. However, based on our discussion, I am writing to ask that you confirm my understanding of the Board's position for tomorrow:

- No opposition to the fee approvals – this will be in the discretion of the Court and the Board will not oppose
- No opposition to the relief sought in respect of the Options and the Voting Procedures, on the basis that if the members or Board appoint an advisory committee made up of some or all of the persons identified in Ms. Nur's affidavit, that we can then request a case conference in January or February to confirm with the Court that the Receiver can consult with the advisory committee in developing the Options, and allow the advisory committee to participate in an advisory role to the members. This remains subject to the Court's approval and agreeing on the terms of any such engagement.
- No opposition to the Receiver taking on the function of reviewing and approving membership and unit transfer applications, in compliance with the Co-op Act and the By-laws.

Please confirm and we can advise the court by email tonight so that Justice Kimmel does not have to prepare for a contested hearing. If you are agreeable, then below is the proposed email to the judge:

Dear Justice Kimmel,

We write further to the hearing on the Harry Sherman Co-operative Housing receivership matter tomorrow (December 11). Counsel to the Board and counsel to the Receiver have had discussions in the late afternoon and have come to a resolution such that the Board no longer opposes the Receiver's motion. Counsel wanted your Honour to be aware of the status as early as possible.

Thank you.

PHILIP CHO | Partner | T. 416-619-6296 | C. 647-638-7828 | pcho@weirfoulds.com

<image001.png>

Court File No. CV-22-00688248-00CL

BETWEEN

CITY OF TORONTO and

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

(Applicant)

(Respondent)

ONTARIO

SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT TORONTO

SUPPORTING AFFIDAVIT OF SAREEDA NUR

BETTY'S LAW OFFICE

2300 Yonge Street, Suite 1600

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Courtney Betty (LSO # 28347U)

Tel: 416-972-472

Email: betty@bettyslaw.com

tenechia@bettyslaw.com

Court File No. CV-22-00688248-00CL

BETWEEN

CITY OF TORONTO and

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

(Applicant)

(Respondent)

ONTARIO

SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT TORONTO

MOTION RECORD

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