

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

THE HONOURABLE

)

MONDAY THE 29TH DAY

JUSTICE PENNY

)

)

)

OF APRIL 2024

BETWEEN:

CITY OF TORONTO

Applicant

-and-

HARRY SHERMAN CROWE HOUSING CO-OPERATIVE INC.

Respondent

**ORDER
(approval of activities and fees)**

THIS MOTION made by TDB Restructuring Limited (“**TDB**”) in its capacity as court-appointed receiver and manager (in such capacity, the “**Receiver**”) of all of the assets, undertakings and properties of Harry Sherman Crowe Housing Co-Operative Inc. (the “**Respondent**” or “**HSC**”) for an order approving the activities and conduct of the Receiver set out in its first report to the court dated March 19, 2024 (the “**First Court Report**”) and the Receiver’s quarterly reports dated June 13, 2023, September 18, 2023 and December 14, 2023 (the “**Quarterly Reports**”) and other relief, originally returnable on March 25, 2024, was heard this day by video conference.

ON READING the Motion Record of the Receiver, including the First Court Report, the Appendices thereto and the Affidavit of Arif Dhanani sworn on March 19, 2024 (the “**Fee Affidavit**”), the Affidavit of Rosell Kerr sworn on April 16, 2024, the Receiver’s Reply Motion Record, including the Supplement to the First Report (the “**Supplemental Report**”) and the

Affidavit of Paul Fischer sworn on April 22, 2024, the facts of the Receiver and of the Respondent, and on hearing the submissions of the lawyers for the Receiver, the Applicant and the Respondent:

1. **THIS COURT ORDERS** that the First Court Report, the Quarterly Reports, the Supplemental Report (collectively, the “**Reports**”) and the activities and conduct of the Receiver described therein be and are hereby approved, provided that only the Receiver, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way the approval of the Reports.
2. **THIS COURT ORDERS** that the interim statement of receipts and disbursements appended to the First Court Report be and is hereby approved.
3. **THIS COURT ORDERS** that the fees and disbursements of the Receiver as set out in the Fee Affidavit appended to the First Court Report be and is hereby approved.
4. **THIS COURT ORDERS** that this Order be and is effective from the date that it is made, and is enforceable without any need for entry and filing.
5. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.



CITY OF TORONTO

- and -

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

Applicant

Respondent

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

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced in Toronto

ORDER

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