

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE ) MONDAY, THE 4<sup>TH</sup>  
 )  
JUSTICE GILMORE ) DAY OF JANUARY, 2021

B E T W E E N:

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

Applicant

-and-

APARTMENTS FOR LIVING FOR PHYSICALLY  
HANDICAPPED ASSOCIATION

Respondent

APPLICATION FOR A WINDING-UP ORDER AND THE APPOINTMENT OF A  
RECEIVER AND LIQUIDATOR PURSUANT TO THE *CORPORATIONS ACT*, R.S.O. 1990,  
c C.38 AND SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, c C.43

**ORDER**

THIS MOTION, made by RSM Canada Limited in its capacity as the Court-appointed receiver and liquidator (the "Receiver") of all of the assets, undertakings and properties of Apartments For Living For Physically Handicapped Association ("ALPHA"), including all proceeds thereof (collectively, the "Property") for an order authorizing the Receiver to pay, as an interim distribution of funds in the receivership of ALPHA, certain amounts to the Canada Mortgage and Housing Corporation ("CMHC") and other ancillary relief, was heard this day by the Court via zoom videoconference.

ON READING the Third Report of the Receiver dated December 23, 2020 (the "Third Report"), the affidavits of the Receiver and its counsel as to fees appended to the Third Report (the "Fee Affidavits"), and on hearing the submissions of counsel for the Receiver,

1. THIS COURT ORDERS that service of the within motion is hereby validated and abridged and further service thereof is hereby dispensed with such that the motion is properly returnable today, January 4, 2021.
2. THIS COURT ORDERS that the Third Report, the Receiver's Interim Statement of Receipts and Disbursements contained therein and the activities and conduct of the Receiver as set out therein, are hereby approved.
3. THIS COURT ORDERS that the fees and disbursements of the Receiver and its counsel, as set out in the Third Report and the Fee Affidavits, are hereby approved.
4. THIS COURT ORDERS that the Receiver is hereby authorized and directed to pay to CMHC, as an interim distribution, funds in an amount equal to the Adjusted CMHC Discharge Amount, as defined in the Third Report, which payment shall not exceed \$525,000 unless otherwise authorized by Court Order.



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Court File No. CV-18-596938-CL

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PROCEEDING COMMENCED AT  
TORONTO

**ORDER**

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