

District of: Ontario  
Division No. 09 - Toronto  
Court No.  
Estate No.

FORM 68  
Notice of Bankruptcy, First Meeting of Creditors  
(Subsection 102(1) of the Act)

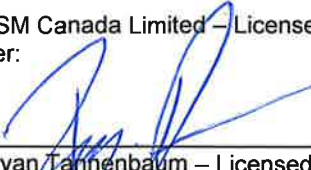
In the matter of the bankruptcy of  
Ontario HVAC & Water Inc.  
of the Town of Bowmanville, in the Municipality of Clarington  
in the Province of Ontario

Take notice that:

1. A bankruptcy order was made against **Ontario HVAC & Water Inc.** on the 27<sup>th</sup> day of January 2020, and the undersigned, RSM Canada Limited, was appointed as trustee of the estate of the bankrupt by the Court, subject to affirmation by the creditors.
2. The first meeting of creditors of the bankrupt will be held on the **14<sup>th</sup> day of February 2020 at 2:30 PM, at the office of RSM Canada Limited, at 11 King Street West, Suite 700, Toronto, ON, M5H 4C7.**
3. To be entitled to vote at the meeting, a creditor must lodge with the Trustee, before the meeting, a proof of claim and, where necessary, a proxy.
4. Enclosed with this notice is a proof of claim form, proxy form, and list of creditors with claims amounting to \$25 or more showing the amounts of their claims.
5. Creditors must prove their claims against the estate of the bankrupt in order to share in any distribution of the proceeds realized from the estate.

DATED at the City of Toronto in the Province of Ontario, this 3<sup>rd</sup> day of February, 2020.

RSM Canada Limited – Licensed Insolvency Trustee  
Per:



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Bryan Tannenbaum – Licensed Insolvency Trustee  
11 King Street W., Suite 700, Box 27  
Toronto ON M5H 4C7  
Phone: (416) 480-0160 Fax: (416) 480-2646

-- Form 78 --  
 Statement of Affairs (Business Bankruptcy) made by an entity  
 (Subsection 49(2) and Paragraph 158(d) of the Act / Subsections 50(2) and 62(1) of the Act)

In the matter of the bankruptcy of  
 Ontario HVAC & Water Inc.  
 of the Town of Bowmanville, in the Municipality of Clarington  
 in the Province of Ontario

To the bankrupt:

You are required to carefully and accurately complete this form and the applicable attachments showing the state of your affairs on the date of the bankruptcy, on the 27th day of January 2020. When completed, this form and the applicable attachments will constitute the Statement of Affairs and must be verified by oath or solemn declaration.

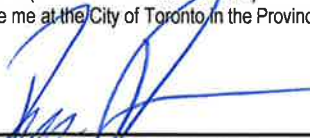
LIABILITIES (as stated and estimated by the officer)	
1. Unsecured creditors as per list "A" .....	168,009.00
Balance of secured claims as per list "B" .....	141,640.71
Total unsecured creditors .....	309,649.71
2. Secured creditors as per list "B" .....	1.00
3. Preferred creditors as per list "C" .....	0.00
4. Contingent, trust claims or other liabilities as per list "D" estimated to be reclaimable for .....	0.00
Total liabilities .....	309,650.71
Surplus .....	NIL

ASSETS (as stated and estimated by the officer)	
1. Inventory .....	0.00
2. Trade fixtures, etc. ....	0.00
3. Accounts receivable and other receivables, as per list "E"	
Good .....	1.00
Doubtful .....	0.00
Bad .....	0.00
Estimated to produce .....	1.00
4. Bills of exchange, promissory note, etc., as per list "F" .....	0.00
5. Deposits in financial institutions .....	0.00
6. Cash .....	0.00
7. Livestock .....	0.00
8. Machinery, equipment and plant .....	0.00
9. Real property or immovable as per list "G" .....	0.00
10. Furniture .....	0.00
11. RRSPs, RRIFs, life insurance, etc. ....	0.00
12. Securities (shares, bonds, debentures, etc.) .....	0.00
13. Interests under wills .....	0.00
14. Vehicles .....	0.00
15. Other property, as per list "H" .....	0.00
If bankrupt is a corporation, add:	
Amount of subscribed capital .....	0.00
Amount paid on capital .....	0.00
Balance subscribed and unpaid .....	0.00
Estimated to produce .....	0.00
Total assets .....	1.00
Deficiency .....	309,649.71

I, Sean Kennedy, of the Town of Bowmanville in the Province of Ontario, do swear (or solemnly declare) that this statement and the attached lists are to the best of my knowledge, a full, true and complete statement of my affairs on the 27th day of January 2020 and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with the Act.

SWORN (or SOLEMNLY DECLARED)

before me at the City of Toronto in the Province of Ontario, on this 3rd day of February 2020.



Bryan Allan Tannenbaum, Commissioner of Oaths  
 For the Province of Ontario  
 Expires January 5, 2021



Sean Kennedy

Bryan Allan Tannenbaum, a Commissioner, etc.  
 Province of Ontario, for RSM Canada LLP  
 and RSM Canada Limited.  
 Expires January 5, 2021

District of: Ontario  
 Division No. 09 - Toronto  
 Court No.  
 Estate No.

FORM 78 -- Continued

List "A"  
 Unsecured Creditors

Ontario HVAC & Water Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	BNY Trust Company of Canada	320 Bay Street, P.O. Box 1 Toronto ON M5H 4A6	0.00	1.00	1.00
2	Canada Revenue Agency	Shawinigan - Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd. Shawinigan QC G9P 5H9	1.00	0.00	1.00
3	City of Toronto, Revenue Services	5100 Yonge Street Toronto ON M2N 5V7	1.00	0.00	1.00
4	CLE Leasing Enterprise Ltd.	3390 South Service Rd., Suite 104 Burlington ON L7N 3J5	1.00	0.00	1.00
5	Enbridge Gas Inc. 910025392634/910025392653	500 Consumers Road North York ON M2J 1P8	0.00	1.00	1.00
6	Equirex, a Division of Bennington Financial Corp.	101-1465 North Service Rd. E. Oakville ON L6H 1A7	1.00	0.00	1.00
7	Joel Zhou	63 Tidworth Sq. Toronto ON M1S 2V4	1,000.00	0.00	1,000.00
8	Noemi Corpuz	1121 College St. Toronto ON M6H 1B5	10,000.00	0.00	10,000.00
9	Norton Philpott & Joanne Philpott	2170 Marine Drive Oakville ON L6L 6L2	157,000.00	0.00	157,000.00
10	Office Central # 8795	60 Leek Crescent Richmond Hill ON L4B 1H1	1.00	0.00	1.00
11	Olympic Dust Control # 647-348-6989	222 Norfinch Dr. North York ON M3N 1Y5	1.00	0.00	1.00
12	One Dealer Financial Services Inc.	325 Milner Avenue, Suite 300 Toronto ON M1B 5N1	0.00	141,637.71	141,637.71
13	Ontario Ministry of Finance	Insolvency Unit 33 King Street W., PO Box 627 Oshawa ON L1H 8H5	1.00	0.00	1.00
14	Rogers Communication 239-245023500/758971956	1 Mount Pleasant Rd. Toronto ON M4Y 2Y5	1.00	0.00	1.00
15	Thinking Capital Financial Corporation	4200 Boul Dorchester, Suite #3 Montreal QC H3Z 1V4	0.00	1.00	1.00
16	Toronto Hydro-Electric System Limited 5633779194	14 Carlton Street Toronto ON M5B 1K5	1.00	0.00	1.00
<b>Total:</b>			<b>168,009.00</b>	<b>141,640.71</b>	<b>309,649.71</b>

27-Jan-2020

Date

  
 Sean Kennedy

District of: Ontario  
 Division No. 09 - Toronto  
 Court No.  
 Estate No.

FORM 78 -- Continued

List "B"  
 Secured Creditors

Ontario HVAC & Water Inc.

No.	Name of creditor	Address	Amount of claim	Particulars of security	When given	Estimated value of security	Estimated surplus from security	Balance of claim
1	BNY Trust Company of Canada	320 Bay Street, P.O. Box 1 Toronto ON M5H 4A6	1.00	Debts Due - Business - Accounts Receivable - Enbridge	16-Mar-2017	0.00		1.00
2	Enbridge Gas Inc. 910025392634/910025392653	500 Consumers Road North York ON M2J 1P8	1.00	Debts Due - Business - Accounts Receivable - Enbridge	16-Mar-2017	0.00		1.00
3	One Dealer Financial Services Inc.	325 Milner Avenue, Suite 300 Toronto ON M1B 5N1	141,638.71	Debts Due - Business - Accounts Receivable - Enbridge	07-Mar-2016	1.00		141,637.71
4	Thinking Capital Financial Corporation	4200 Boul Dorchester, Suite #3 Montreal QC H3Z 1V4	1.00	Debts Due - Business - Accounts Receivable - Enbridge	14-Sep-2017	0.00		1.00
<b>Total:</b>			<b>141,641.71</b>			<b>1.00</b>	<b>0.00</b>	<b>141,640.71</b>

27-Jan-2020

Date



Sean Kennedy

District of: Ontario  
Division No. 09 - Toronto  
Court No.  
Estate No.

FORM 78 -- Continued

List "C"  
Preferred Creditors for Wages, Rent, etc.

Ontario HVAC & Water Inc.

No.	Name of creditor	Address and occupation	Nature of claim	Period during which claim accrued	Amount of claim	Amount payable in full	Difference ranking for dividend
Total:					0.00	0.00	0.00

27-Jan-2020

Date

  
Sean Kennedy

District of: Ontario  
Division No. 09 - Toronto  
Court No.  
Estate No.

FORM 78 -- Continued

List "D"  
Contingent or Other Liabilities

Ontario HVAC & Water Inc.

No.	Name of creditor or claimant	Address and occupation	Amount of liability or claim	Amount expected to rank for dividend	Date when liability incurred	Nature of liability
Total:			0.00	0.00		

27-Jan-2020

Date

  
Sean Kennedy

District of: Ontario  
 Division No. 09 - Toronto  
 Court No.  
 Estate No.

FORM 78 -- Continued

List "E"  
 Debts Due to the Bankrupt  
 Ontario HVAC & Water Inc.

No.	Name of debtor	Address and occupation	Nature of debt	Amount of debt (good, doubtful, bad)	Folio of ledgers or other book where particulars to be found	When contracted	Estimated to produce	Particulars of any securities held for debt
1	Accounts Receivable - Enbridge	500 Consumers Road North York ON M2J 1P8	Future cash flow from contracts in place with Enbridge	1.00 0.00 0.00		16-Mar-2017	1.00	PPSA over invtry, equip, accts, other
Total:				1.00 0.00 0.00			1.00	

27-Jan-2020

Date



Sean Kennedy

District of: Ontario  
Division No. 09 - Toronto  
Court No.  
Estate No.

FORM 78 -- Continued

List "F"

Bills of Exchange, Promissory Notes, Lien Notes, Chattel  
Mortgages, etc., Available as Assets

Ontario HVAC & Water Inc.

No.	Name of all promissory, acceptors, endorsers, mortgagors, and guarantors	Address	Occupation	Amount of bill or note, etc.	Date when due	Estimated to produce	Particulars of any property held as security for payment of bill or note, etc.
Total:				0.00		0.00	

27-Jan-2020

Date

  
Sean Kennedy



District of: Ontario  
Division No. 09 - Toronto  
Court No.  
Estate No.

FORM 78 -- Continued

List "G"  
Real Property or Immovables Owned by Bankrupt

Ontario HVAC & Water Inc.

Description of property	Nature of bankrupt interest	In whose name does title stand	Total value	Particulars of mortgages, hypothecs, or other encumbrances (name, address, amount)	Equity or surplus
			Total:		0.00

27-Jan-2020

Date



Sean Kennedy

District of: Ontario  
Division No. 09 - Toronto  
Court No.  
Estate No.

FORM 78 -- Concluded

List "H"  
Property

Ontario HVAC & Water Inc.

FULL STATEMENT OF PROPERTY

Nature of property	Location	Details of property	Original cost	Estimated to produce
(a) Stock-in-trade			0.00	0.00
(b) Trade fixtures, etc.			0.00	0.00
(c) Cash in financial institutions			0.00	0.00
(d) Cash on hand			0.00	0.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant			0.00	0.00
(g) Furniture			0.00	0.00
(h) Life insurance policies, RRSPs, etc.			0.00	0.00
(i) Securities			0.00	0.00
(j) Interests under wills, etc.			0.00	0.00
(k) Vehicles			0.00	0.00
(l) Taxes			0.00	0.00
(m) Other			0.00	0.00
			<b>Total:</b>	<b>0.00</b>

27-Jan-2020

Date

  
Sean Kennedy

Court No.

File No.

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In the matter of the bankruptcy of  
Ontario HVAC & Water Inc.  
of the Town of Bowmanville, in the Municipality of  
Clarington  
in the Province of Ontario

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Form 78 (Bill C-12)  
Statement of affairs (Business bankruptcy)

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RSM Canada Limited - Licensed Insolvency Trustee

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11 King Street W., Suite 700, Box 27  
Toronto ON M5H 4C7  
Phone: (416) 480-0160 Fax: (416) 480-2646

District of: Ontario  
Division No. 09 - Toronto  
Court No.  
Estate No.

- FORM 31 -  
Proof of Claim  
(Sections 50.1, 81.5, 81.6, Subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 102(2), 124(2), 128(1),  
and Paragraphs 51(1)(e) and 66.14(b) of the Act)

In the matter of the bankruptcy of  
Ontario HVAC & Water Inc.  
of the Town of Bowmanville, in the Municipality of Clarington  
in the Province of Ontario

All notices or correspondence regarding this claim must be forwarded to the following address:

\_\_\_\_\_  
\_\_\_\_\_

In the matter of the bankruptcy of Ontario HVAC & Water Inc. of the Town of Bowmanville in the Province of Ontario and the claim of \_\_\_\_\_, creditor.

I, \_\_\_\_\_ (name of creditor or representative of the creditor), of the city of \_\_\_\_\_ in the province of \_\_\_\_\_, do hereby certify:

1. That I am a creditor of the above named debtor (or I am \_\_\_\_\_ (position/title) of \_\_\_\_\_, creditor).

2. That I have knowledge of all the circumstances connected with the claim referred to below.

3. That the debtor was, at the date of bankruptcy, namely the 27th day of January 2020, and still is, indebted to the creditor in the sum of \$ \_\_\_\_\_, as specified in the statement of account (or affidavit) attached and marked Schedule "A", after deducting any counterclaims to which the debtor is entitled. (The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim.)

4. (Check and complete appropriate category.)

A. UNSECURED CLAIM OF \$ \_\_\_\_\_

(other than as a customer contemplated by Section 262 of the Act)

That in respect of this debt, I do not hold any assets of the debtor as security and  
(Check appropriate description.)

Regarding the amount of \$ \_\_\_\_\_, I claim a right to a priority under section 136 of the Act.

Regarding the amount of \$ \_\_\_\_\_, I do not claim a right to a priority.  
(Set out on an attached sheet details to support priority claim.)

B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE \$ \_\_\_\_\_

That I hereby make a claim under subsection 65.2(4) of the Act, particulars of which are as follows:  
(Give full particulars of the claim, including the calculations upon which the claim is based.)

C. SECURED CLAIM OF \$ \_\_\_\_\_

That in respect of this debt, I hold assets of the debtor valued at \$ \_\_\_\_\_ as security, particulars of which are as follows:  
(Give full particulars of the security, including the date on which the security was given and the value at which you assess the security, and attach a copy of the security documents.)

D. CLAIM BY FARMER, FISHERMAN OR AQUACULTURIST OF \$ \_\_\_\_\_

That I hereby make a claim under subsection 81.2(1) of the Act for the unpaid amount of \$ \_\_\_\_\_  
(Attach a copy of sales agreement and delivery receipts.)

- E. CLAIM BY WAGE EARNER OF \$ \_\_\_\_\_
- That I hereby make a claim under subsection 81.3(8) of the Act in the amount of \$ \_\_\_\_\_,
- That I hereby make a claim under subsection 81.4(8) of the Act in the amount of \$ \_\_\_\_\_,
- F. CLAIM BY EMPLOYEE FOR UNPAID AMOUNT REGARDING PENSION PLAN OF \$ \_\_\_\_\_
- That I hereby make a claim under subsection 81.5 of the Act in the amount of \$ \_\_\_\_\_,
- That I hereby make a claim under subsection 81.6 of the Act in the amount of \$ \_\_\_\_\_,
- G. CLAIM AGAINST DIRECTOR \$ \_\_\_\_\_

*(To be completed when a proposal provides for the compromise of claims against directors.)*

That I hereby make a claim under subsection 50(13) of the Act, particulars of which are as follows:

*(Give full particulars of the claim, including the calculations upon which the claim is based.)*

- H. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM \$ \_\_\_\_\_

That I hereby make a claim as a customer for net equity as contemplated by section 262 of the Act, particulars of which are as follows:

*(Give full particulars of the claim, including the calculations upon which the claim is based.)*

5. That, to the best of my knowledge, I \_\_\_\_\_ (am/am not) (or the above-named creditor \_\_\_\_\_ (is/is not)) related to the debtor within the meaning of section 4 of the Act, and \_\_\_\_\_ (have/has/have not/has not) dealt with the debtor in a non-arm's-length manner.

6. That the following are the payments that I have received from, and the credits that I have allowed to, and the transfers at undervalue within the meaning of subsection 2(1) of the Act that I have been privy to or a party to with the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Act or were not dealing with each other at arm's length, within the 12 months) immediately before the date of the initial bankruptcy event within the meaning of Section 2 of the Act: (Provide details of payments, credits and transfers at undervalue.)

7. (Applicable only in the case of the bankruptcy of an individual.)

- Whenever the trustee reviews the financial situation of a bankrupt to redetermine whether or not the bankrupt is required to make payments under section 68 of the Act, I request to be informed, pursuant to paragraph 68(4) of the Act, of the new fixed amount or of the fact that there is no longer surplus income.
- I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to subsection 170(1) of the Act be sent to the above address.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Creditor

Phone Number: \_\_\_\_\_  
Fax Number : \_\_\_\_\_  
E-mail Address : \_\_\_\_\_

NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.

WARNINGS: A trustee may, pursuant to subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.

Subsection 20(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

## Instructions to Creditors

### General

Creditors are required to file their claims with the Trustee prior to the time appointed for the meeting of creditors in order to be eligible to vote.

The proper name of the claimant and its complete address, to which all notices or correspondence are to be forwarded, must be shown.

The proof of claim form must be completed by a person, not by a corporation. The person completing the proof of claim form on behalf of a corporation shall indicate his official capacity, such as "Credit Manager", "Secretary", "Authorized Agent", etc.

All sections of the proof of claim must be completed. Any non-applicable wording should be crossed out.

The signature of the creditor or declarant on the claim must be witnessed.

### Paragraph 3

Insert the total amount owed and attach supporting documentation which agrees to the amount owed. The supporting documentation can be in the form of an invoice or a detailed statement of account which shows the date, the number and the amount of all the invoices or charges, together with the date, the number and the amount of all credits or payment. A statement of account is not complete if it begins with an amount brought forward.

### Paragraph 4

Complete the subsection(s) that applies depending on the nature of your claim. Strike out those subsections which do not apply. For example, trade creditors complete subsection A and secured creditors complete subsection C. In subsection A, the total amount of your unsecured claim is inserted in the first space, and the portions claimed as priority versus no priority are split out in the following two spaces. The priority under section 136 of the Act referred to in subsection A may include the claims of employees of the bankrupt for wage arrears, commissions or expenses; a landlord for rent arrears and acceleration rent, if included in the lease; municipalities, if their claims are not a charge against title; and departments of federal and provincial governments.

All Secured Creditors must attach to their proofs of claim, a certified true copy of their security documents and details of registration.

### Paragraph 5

All claimants must indicate whether or not they are related to the debtor, as defined by The Bankruptcy & Insolvency Act, by striking out "AM" or "AM NOT" and "HAVE" or "HAVE NOT".

### Paragraph 6

All claimants must attach a detailed list of all payments or credits received or granted, as follows:

- a) within the three (3) months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are not related.
- b) within the twelve (12) months preceding the bankruptcy or proposal, in the case where the claimant and the debtor are related.

### Voting/Proxy

Any unsecured creditor may vote in person or by proxy, but when a proxy is attending the meeting, he must be so appointed by the creditor. When the creditor is a corporation, the person attending the meeting of the creditors, including the declarant, must be appointed proxy by an officer of the corporation having status to make such an appointment.

### Note

Section 201(1) of The Bankruptcy & Insolvency Act states: "Where a creditor, or a person claiming to be a creditor, in any proceedings under this Act, willfully and with intent to defraud makes any false claim or any proof, declaration or statement of account that is untrue in any material particular, the creditor or person is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding five thousand dollars, or to imprisonment for a term not exceeding one year, or to both."

Please return your completed proof of claim form and proxy to:

RSM Canada Limited  
11 King Street West, Suite 700, P.O. Box 27  
Toronto, ON M5H 4C7

Attention: Donna Nishimura

Fax: (416) 480-2646

District of: Ontario  
Division No. 09 - Toronto  
Court No.  
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- FORM 36 -  
Proxy  
(Subsection 102(2) and paragraphs 51(1)(e) and 66.15(3)(b) of the Act)

In the matter of the bankruptcy of  
Ontario HVAC & Water Inc.  
of the Town of Bowmanville, in the Municipality of Clarington  
in the Province of Ontario

I, \_\_\_\_\_, of \_\_\_\_\_, a creditor in the above matter, hereby  
appoint \_\_\_\_\_, of \_\_\_\_\_, to be  
my proxyholder in the above matter, except as to the receipt of dividends, \_\_\_\_\_ (with or without)  
power to appoint another proxyholder in his or her place.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Individual Creditor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Name of Corporate Creditor

Per \_\_\_\_\_  
Name and Title of Signing Officer

Return To:

RSM Canada Limited - Licensed Insolvency Trustee

\_\_\_\_\_  
11 King Street W., Suite 700, Box 27  
Toronto ON M5H 4C7  
Phone: (416) 480-0160 Fax: (416) 480-2646