Court File No. CV-25-00740765-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

B E T W E E N:

UBC SOLUTIONS INCORPORATED

Applicant

- and -

1680 BRIMLEY LIMITED PARTNERSHIP, 2808908 ONTARIO INC. and BRIMLEY PROGRESS DEVELOPMENTS INC.

Respondents

APPLICATION UNDER SUBSECTION 243(1) OF THE BANKRUPTCY AND INSOLVENCY ACT, R.S.C. 1985, C. B-3, AS AMENDED, AND SECTION 101 OF THE COURTS OF JUSTICE ACT, R.S.O. 1990, C. C.43, AS AMENDED

THIRD SUPPLEMENTAL AFFIDAVIT OF HANS JAIN

(Sworn on September 9th, 2025)

I, **Hans Jain**, of the City of Toronto, in the Province of Ontario, **MAKE OATH AND SAY/AFFIRM:**

1. I am an Officer and Director of the respondent 2808908 ONTARIO INC. and BRIMLEY PROGRESS DEVELOPMENTS INC., and I am the General Partner of 1680 BRIMLEY LIMITED PARTNERSHIP. The respondents are collectively referred to herein as the Owners.

2. 1680 Brimley Limited Partnership is the limited partner of 2808908 Ontario Inc. (the general partner), and they are the beneficial owners of the Property municipally known as 1680

Brimley Road, Scarborough, Ontario. Brimley Progress Developments Inc. is the registered owner of the Property but holds it for the benefit of the limited and general partners. All the units in the limited partnership are owned by my family members, my corporations or me.

3. Attached hereto and marked as **Exhibit "A" is a true copy** of an email received from CBRE, specifically, Jessica Harland from CBRE, and sent to myself, along with Manish Jain (who is not a relative of mine) with a copy to Janelle Morrice. The email is with respect to the Certificates of Insurance (COIs) from CMH and reads as follows:

Indeed we did receive the COI's for Brimley. The loan amounts are detailed below:

COI# 68445958 - $366,375,375 (Net); $376,704,741.93 (Gross)
Ceiling rate: 4.00%
First advance date – March 9, 2026 (CMHC Would not extend due to the time that has passed since submission).
Costs: $509,959,071 – Construction Management
Bonding required
Guarantors: Carpenters' Regional Council, United Brotherhood of Carpenters and Joiners of America & HJ Family Holdings Inc.
Guarantee reduction to 40% after one year stabilized rents
Prior to any advance, the Borrower shall deliver evidence satisfactory to the Lender and CMHC, acting reasonably, that the severance of the excess lands from the Mortgaged Property has been completed and registered on title

Rental Achievement Holdback COI# 15460792 - $444,361,728.93 (net); $446,256,673.89 (Gross)
CMHC will not authorize Housing Loan advances until such time as the Approved Lender's calculations, in accordance with CMHC policies and guidelines, confirm that the Property generates an annualized effective gross income of $29,620,832.57
Date of final advance: Sept 3, 2030.

Let's set up a call as we will need a few items addressed in order to be able to provide the COI's. These items are as follows and are the same as we have been seeking for some time:

-Confirmation in writing from UBC they are proceeding with the JV partnership.
-Confirmation in writing from UBC and Atria that the organizational chart that was provided to CBRE, and subsequently CMHC is accurate
-UBC Financials for 2023 and 2024.

-Atria Financials for 2024 (2808908 Ontario Inc, 1680 Brimley LP, Brimley Progress Developments Inc., HJ Family Holdings Inc.)

Please let me know a few times this week that we can schedule a call on this as we have only 6 months to take the first draw and much work to be done to get there!

4. There is an opportunity for UBC and the respondents to work together with this loan in place and construct the project so that all stakeholders can benefit rather than allowing the project to fail and looking to a sale or foreclosure that will lead to certain losses.

5. I swear this affidavit in support of the Respondent's position in the within Application and for no other improper purpose or for delay.

Sworn/Affirmed before me by video conference by Hans Jain, at the City of Toronto, in the Province of Ontario, this 9th day of September, 2025, in accordance with O.Reg.431/20, Administering Oath or Declaration Remotely.	))))))	
Brett D. Moldaver A Commissioner for taking Affidavits, etc. ***Brett D. Moldaver***		Hans Jain ***Hans Jain***

This is Exhibit “**A**”

referred to in the Affidavit of **HANS JAIN,**
affirmed before me by video telephone conference, in the City of Toronto, in the Province of Ontario, in accordance with Ontario Regulation 431/20, administering oath or declaration remotely, this 9th day of September 2025.

Brett D. Moldaver

A Commissioner for taking affidavits
Brett D. Moldaver

From: Harland, Jessica @ Calgary <Jessica.Harland@cbre.com>
Sent: Tuesday, September 9, 2025 5:34 PM
To: Hans Jain <hans.jain@atria.ca>; Jain, Manish @ CBRE Capital Markets <Manish.Jain@cbre.com>
Cc: Morrice, Janelle @ Calgary <Janelle.Morrice@cbre.com>
Subject: CMHC COI – 1680 Brimley Road - Requested information

Hello all!

Indeed we did receive the COI's for Brimley. The loan amounts are detailed below:

COI# 68445958 - $366,375,375 (Net); $376,704,741.93 (Gross)

Ceiling rate: 4.00%

First advance date – March 9, 2026 (CMHC Would not extend due to the time that has passed since submission).

Costs: $509,959,071 – Construction Management

Bonding required

Guarantors: Carpenters' Regional Council, United Brotherhood of Carpenters and Joiners of America & HJ Family Holdings Inc.

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Please let me know a few times this week that we can schedule a call on this as we have only 6 months to take the first draw and much work to be done to get there!

Thanks,

Jess

Jessica Harland
Senior Vice President
CBRE Capital (Canada) Inc. | Debt & Structured Finance
Eighth Avenue Place, East Tower
525 8th Avenue SW, Suite 3200 | Calgary, AB T2P 1G1
T +1 403 303 3602 | F +1 403 269 4202 | C +1 403 919 1187
jessica.harland@cbre.com | LinkedIn

UBC SOLUTIONS INCORPORATED v. **1680 BRIMLEY LIMITED PARTNERSHIP et. al.**

Applicant Respondents

Court File No.:CV-25-00740765-00CL

ONTARIO

SUPERIOR COURT OF JUSTICE

(COMMERCIAL LIST)

Proceeding commenced at TORONTO

THIRD SUPPLEMENTAL AFFIDAVIT

of HANS JAIN

(sworn September 9, 2025)

MOLDAVER BARRISTERS
365 Bloor Street East, Suite 1608
Toronto, Ontario
M4W 3L4

Brett D. Moldaver (LSO #44191E)
brett@moldaverbarristers.com

Tel. (416) 238-2953

Lawyers for the Respondents, 1680 BRIMLEY LIMITED PARTNERSHIP, 2808908 ONTARIO INC. and BRIMLEY PROGRESS DEVELOPMENTS INC.