

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
[COMMERCIAL LIST]**

THE HONOURABLE ) MONDAY, THE 18<sup>th</sup> DAY  
JUSTICE *WYERS* ) OF SEPTEMBER, 2017

**B E T W E E N:**

**PEOPLES TRUST COMPANY**

Applicant

- and -

**ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY**

Respondent

**O R D E R**

**THIS MOTION** made by **Deloitte Restructuring Inc.**, in its capacity as Receiver and Manager over all of the current and future assets, undertakings and properties of the Respondent (in that capacity, the “**Receiver**”) for an Order (ii) declaring that Imseop Kim and Grace Kim (collectively, the “**Kims**”) do not have any right, title or interest in unit PH8 (“**Unit PH8**”) of the Rose of Sharon Life-Lease Residence (the “**Life Lease Residence**”), (ii) declaring that the purported lease agreement for Unit PH8 between the Kims and Unimac Group Ltd. dated June 28, 2014 (the “**Purported Lease Agreement**”) is void *ab initio*, (iii) if necessary, disclaiming the Purported Lease Agreement, (iv) granting judgment against Grace Kim for \$31,200.00 if the Kims take the position that they are tenants of Unit PH8, and (v) providing the Receiver with vacant possession of Unit PH8, was heard this day at Toronto.

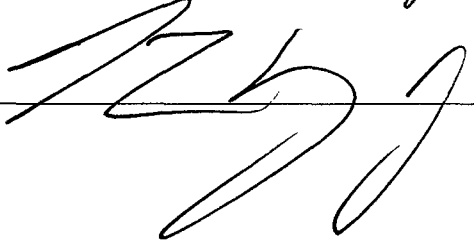
**ON READING** the Receiver's Motion Record dated May 12, 2017, the Eighth Report to the Court of the Receiver dated May 12, 2017 (the "**Eighth Report**"), the Second Supplementary Report to the Eighth Report dated June 26, 2017, and upon hearing the submissions of counsel for the Receiver and counsel for Peoples, no one else appearing,

1. **THIS COURT DECLARES** that Imseop Kim and Grace Kim do not have any right, title or interest in Unit PH8 of the Life-Lease Residence.

2. **THIS COURT DECLARES** that the purported lease agreement for Unit PH8 of the Life-Lease Residence between Grace Kim, Imseop Kim and Unimac Group Ltd. dated June 28, 2014, is ~~void ab initio~~ and is hereby set aside.

3. **THIS COURT ORDERS** that the Kims, deliver to the Receiver vacant possession of Unit PH8 of the Life-Lease Residence, municipally known as Unit PH8, 15-17 Maplewood Avenue, Toronto, Ontario, and legally described in Schedule "A" attached hereto.

BY NO LATER THAN NOV. 12, 2017,  
MISHALL



**PEOPLES TRUST COMPANY**

and

**ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY**

Applicant

Respondent

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

Proceeding Commenced at **TORONTO**

**ORDER**

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Lawyers for Deloitte Restructuring Inc., in its capacity as court appointed receiver and manager of Rose of Sharon (Ontario) Retirement Community