



Court File No. 1208/20

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE )  
JUSTICE H. LEIBOVICH )  
WEDNESDAY, THE  
16<sup>TH</sup> DAY OF MARCH, 2022

B E T W E E N:

**THE REGIONAL MUNICIPALITY OF DURHAM**

Applicant

- and -

**WILLIAM PEAK CO-OPERATIVE HOMES INC.**

Respondent

IN THE MATTER OF AN APPLICATION PURSUANT TO SECTION 85 OF *THE HOUSING SERVICES ACT, 2011*, S.O. 2011, c. 6, AS AMENDED

**DISCHARGE ORDER**

THIS MOTION, made in writing by the Applicant, the Regional Municipality of Durham, pursuant to section 92(6) of the *Housing Services Act, 2011* and in its capacity as the designated service manager of the Respondent, William Peak Co-operative Homes Inc., under sections 11 and 68 of the *Housing Services Act, 2011* for an order:

1. approving the activities of the receiver, Deloitte Restructuring Inc. (the "Receiver") as set out in the final report of the Receiver dated February 28, 2022 (the "Report");
2. approving the fees and disbursements of the Receiver and its counsel;

3. discharging the Receiver as the receiver of the undertaking, property and assets of the Respondent; and

4. releasing the Receiver from any and all liability, as set out in paragraph 4 of this Order,

was read this day at 150 Bond Street East, Oshawa, Ontario.

ON READING the Motion Record of the Applicant, the Report, the affidavits of the Receiver and its counsel as to fees (the "Fee Affidavits"), no one else filing submissions although served as evidenced by the Affidavit of Jennifer Senior sworn February 25, 2022, filed;

1. THIS COURT ORDERS that the activities of the Receiver, as set out in the Report, are hereby approved.

2. THIS COURT ORDERS that the fees and disbursements of the Receiver and its counsel, as set out in the Report and the Fee Affidavits, are hereby approved.

3. THIS COURT ORDERS that the Receiver be and is hereby discharged as receiver of the undertaking, property and assets of the Respondent, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of [the Receiver in its capacity as receiver.

4. THIS COURT ORDERS AND DECLARES that the Receiver is hereby released and discharged from any and all liability that the Receiver now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of the Receiver while acting in its capacity as receiver herein, save and except for any gross negligence or wilful misconduct on the Receiver's part. Without limiting the generality of the foregoing, the Receiver is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings, save and except for any gross negligence or wilful misconduct on the Receiver's part.



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Justice H. Leibovich

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PROCEEDING COMMENCED AT  
Oshawa

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**ORDER**

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