

This is the 1<sup>st</sup> Affidavit of Mo Yeung (Michael) Ching  
made on April 10, 2025

No: S-240493  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

FOX ISLAND DEVELOPMENT LTD. and ADVANCED VENTURE HOLDING CO., LTD.

PETITIONERS

AND:

KENSINGTON UNION BAY PROPERTIES NOMINEE LTD. (formerly known as 34083 YUKON INC.), KENSINGTON UNION BAY PROPERTIES LIMITED PARTNERSHIP, KENSINGTON UNION BAY PROPERTIES GP LTD., INTERNATIONAL TRADE CENTER PROPERTIES LTD., SUNWINS ENTERPRISE LTD., MO YEUNG CHING also known as MICHAEL CHING, MO YEUNG PROPERTIES LTD., SFT DIGITAL HOLDINGS 30 LTD., HOTEL VERSANTE LTD., BEEM CREDIT UNION, MORTEQ LENDING CORP., CHUN YU LIU, 1307510 B.C. LTD., JEFFREY RAUCH, HEUNG KEI SUNG, and RCC HOLDINGS LTD.

RESPONDENTS

**AFFIDAVIT OF MO YEUNG (MICHAEL) CHING**  
**(Affirmed April 10, 2025)**

I, Mo Yeung (Michael) Ching, with a service address of 9<sup>th</sup> floor, 900 West Hastings Street, British Columbia, AFFIRM THAT:

1. I am a respondent and the President and Chief Executive Officer of the Respondents, Kensington Union Bay Properties Nominee Ltd. (formerly known as 34083 Yukon Inc.) and Kensington Union Bay Properties GP Ltd. (together with Kensington Union Bay Properties Limited Partnership, the “**Kensington Union Bay Group**”), and a director of International Trade Center Properties Ltd. (“**ITC**”), Sunwins Enterprise Ltd. (“**Sunwins**”), Mo Yeung Properties Ltd. (“**MY Properties**”) and SFT Digital Holdings 30 Ltd. (“**SFT**”) (together, the “**Respondents**”). As such, I have knowledge of the matters hereinafter deposed to save and except where stated to be on information provided to me, in which case I believe the same to be true.

2. I am an experienced real estate developer and entrepreneur. I immigrated to Canada in 2000, and have been involved in land development including single-family homes, multi-family complexes, low-rise and high-rise buildings. In 2022, I rebranded my development company Sunwins. With respect to the hospitality industry, I operated Oceanfront Suites at Cowichan Bay and Spa Versante in Richmond for several years before exiting.

### **Relationship with the Petitioners**

3. The Kensington Union Bay Group and ITC are co-borrowers under a loan agreement, dated June 14, 2021 (the "**Senior B Loan Agreement**"), with the Petitioners, as lenders, as modified by certain amending agreements, forbearance agreements, and a forbearance extension supplemental agreement, dated September 30, 2023.
4. The Senior B Loan Agreement is guaranteed by Hotel Versante Ltd. ("**Hotel Versante**"), Sunwins, MY Properties, SFT and myself.
5. The purpose of the Senior B Loan Agreement was to finance the development and construction of the Hotel Versante hotel in Richmond, British Columbia (the "**Hotel**"). During the course of negotiating the Senior B Loan Agreement, I was in regular contact with Gavin Wang, principal of Fox Island Development Ltd. ("**Fox Island**"), as to the intended operation of the Hotel. Furthermore, during each negotiation of an amendment or extension of the Senior B Loan Agreement, I understand financial information would be shared among the counsel for Fox Island and Hotel Versante among others.

### **Club Versante**

6. From the outset of Hotel operations, the restaurant and bar service to the Hotel was to be furnished by Club Versante Management Ltd. ("**Club Versante**"). I am a director of Club Versante.
7. Club Versante was envisaged as a lifestyle food and beverage company offering exclusive restaurant, bar and catering services across multiple different establishments. At present, Club

Versante operates the Bruno restaurant and Alaia event space in the Hotel. However, Club Versante also operates 3 different restaurants in separate locations. Attached as Exhibit “A” is a printout from [www.clubversante.com](http://www.clubversante.com) outlining Club Versante’s business.

8. As outlined in the first Receiver’s Report, Club Versante leases the 1<sup>st</sup>, 12<sup>th</sup> and 13<sup>th</sup> floors of the Hotel pursuant to a lease agreement from August 1, 2021, as amended. Club Versante pays rent to the Hotel and expenses are reconciled monthly among the parties to account for various costs, commissions, and otherwise. As a Respondent and under the Receivership Order, Hotel Versante has provided the Receiver various information in order to understand the Hotel structure and operations.
9. At all times Fox Island has been aware of the relationship between the Respondents and Club Versante. Each time the Senior B Loan Agreement was amended, or when a forbearance was negotiated, I understand financial statements for various of the Respondents would have been provided to Fox Island. Those statements would show the relationship between the parties and in particular the amounts going to Club Versante. It should be no surprise to the Receiver or to Fox Island that Club Versante was and is providing services to the Hotel under its present arrangements.

### **Requests for Information**

10. Since the Receivership Order was granted, the Respondents have been providing the Receiver information directly and through their online portal system. I met with the Receiver daily for three weeks after the Receivership Order was announced, and the Respondents continue to meet with the Receiver virtually or in person daily and twice a week to discuss information, along with uploading various documents and materials.
11. To my knowledge, the Receiver has made three requests on March 7, 10 and 17<sup>th</sup>. Rita Zhang of Hotel Versante has been coordinating the provision of information. With respect to Club Versante, the Receiver has asked questions of Ms. Zhang and myself for various matters.
12. I was out of the country from March 27<sup>th</sup> to April 5<sup>th</sup>, 2025. During my absence, the Receiver reiterated its demands with respect to the Respondents and Club Versante and provided a list

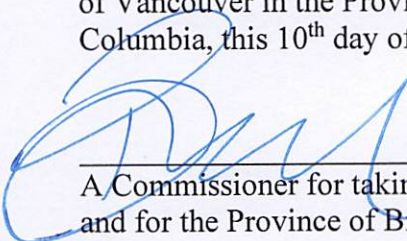
of outstanding requests. Attached as Exhibit “B” is a copy of the Receiver’s request related to Club Versante.

13. I have collected as much information as possible in a short amount of time for the Receiver. Attached as Exhibit “C” is a copy of an email sent April 9, 2025 from my counsel to the Receiver’s counsel as to the outstanding information.

14. I am concerned that an Order authorizing investigatory powers over Club Versante would allow the Receiver to have confidential Club Versante business information that has nothing to do with the Respondents or the Hotel.

15. I am committed to continue to work with the Receiver to provide information about the Hotel and Club Versante.

AFFIRMED BEFORE ME AT the City  
of Vancouver in the Province of British  
Columbia, this 10<sup>th</sup> day of April, 2025.

  
A Commissioner for taking Affidavits in  
and for the Province of British Columbia.

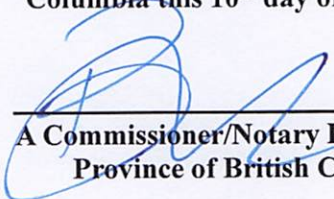
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MO YEUNG (MICHAEL) CHING

**BENJAMIN LA BORIE**  
*Barrister & Solicitor*  
9th Floor, 900 West Hastings Street  
Vancouver, British Columbia V6C 1E5

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**Exhibit "A" referred to in the Affidavit  
of Mo Yeung (Michael) Ching affirmed  
before me at Vancouver, British  
Columbia this 10<sup>th</sup> day of April 2025.**



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**A Commissioner/Notary Public for the  
Province of British Columbia**



CLUB VERSANTE

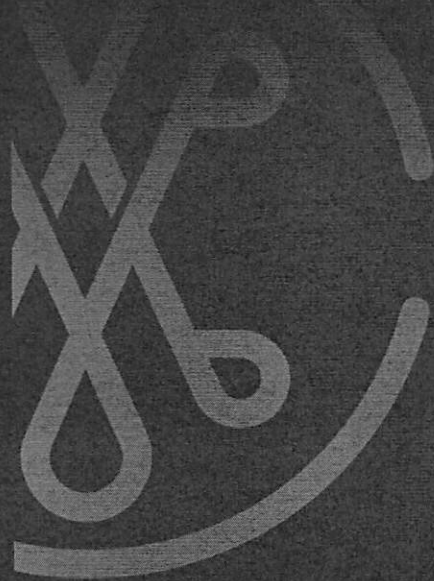
MEMBERSHIP

VENUES

HOTEL

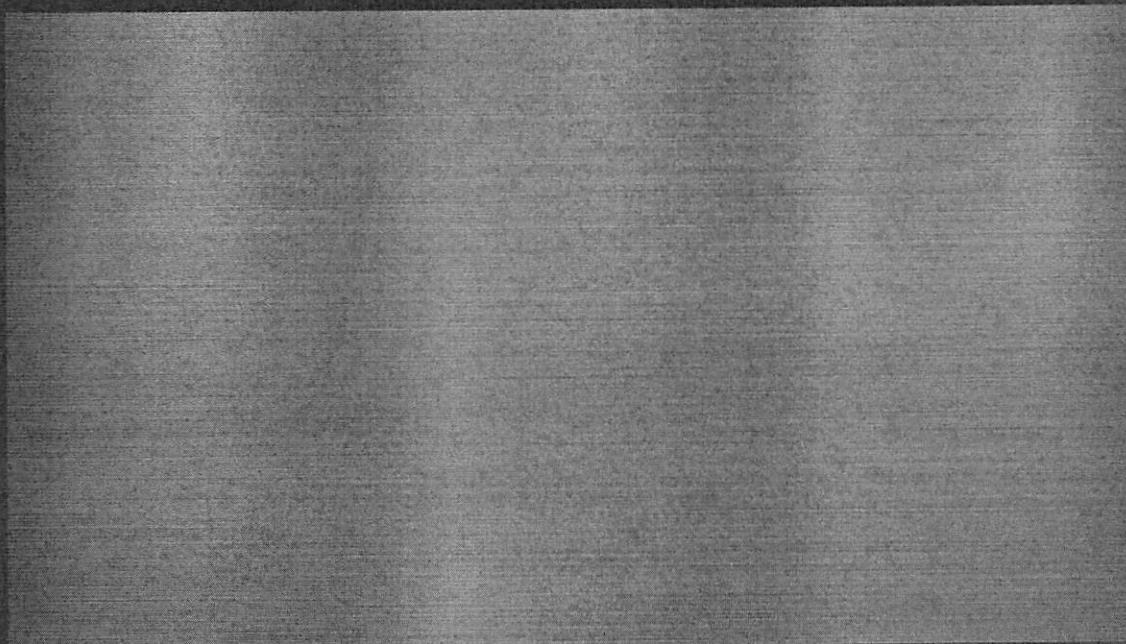
EVENTS

CONTACT US



A club membership experience unlike any other in British Columbia, Canada.

Club Versante opens the door to a collection of extraordinary venues and exceptional escapes, granting unparalleled access to both leisure and professional pursuits. Five star culinary adventures in multiple private environments and members only wine and spirits programs led by some of the world's best educators and ambassadors are just a few of the exclusive enticements. Our Lifestyle Concierge can arrange for you. Redefine what it means to belong to a membership club on the beautiful coast of British Columbia.



CLUB VERSANTE

MEMBERSHIP

VENUES

HOTEL

EVENTS

CONTACT US

## Lifestyle Concierge

At Club Versante, we have a lifestyle concierge to help you plan your next event, whether it's a corporate gathering, a birthday celebration, or a wedding reception. Our concierge team is dedicated to providing you with the highest level of service and ensuring your event is a success.

[CONTACT US](#)

## Club Versante Venues

Indulge in an exclusive collection of world-class venues under one roof.



Bruno takes each guest on an always-evolving culinary journey, showcasing the best of British Columbia. A place for friends, family, and jet setters to gather, relax, and reconnect over a colourful spritz or cocktail, Bruno treats each guest like a friend they haven't met yet.

[GO TO BRUNO](#)



Cask complements a seemingly endless array of single malts, bourbons, and blended whiskies with the casual dining style of an izakaya. An intimate atmosphere anchored by a Robata Grill, and private tasting rooms, Cask is a place to retreat to, a world to indulge in.

[GO TO CASK](#)



Yandoux Patisserie offers exquisite French pastries and high tea with a modern twist. Renowned for their imaginative designs and unique flavours, Yandoux Patisserie creates artful desserts and savory bites that delight the senses.

[GO TO YANDOUX PATISserie](#)



Alaia, a provocative penthouse event space has sweeping views with striking décor and wrap around patio space. A secret room that celebrates Food – Art – Music & Fashion.

[GO TO ALAIA](#)



Indulge in the exquisite flavors of our Japanese rice bowls, freshly crafted and served straight from the heart of Cask Kitchen. Available exclusively for pickup and delivery, savor the taste of Japan from the comfort of your own home. Available everyday [EXCEPT WEDNESDAY] 11:00 AM - 9:30 PM.

[GO TO YAKINIKU DONBURI](#)





Secret Teahouse, our first phase establishment, embodies the essence of traditional Chinese style. It focuses on the art of traditional tea, offering an authentic experience in Chinese tea culture. In this tranquil and elegant setting, you can indulge in the delightful aroma of tea and savour the beauty of the tea ceremony.

GO TO SECRET TEAHOUSE

## MOPHEAD

Created by one of Hong Kong's top hairstyling teams, offers exceptional beauty services. Enjoy expert hairstyling and hair design, stunning nail treatments and chic nail arts, and luxurious spa services—all in one convenient location at Bridgeport. Experience top-tier beauty and relaxation with our expert team.

GO TO MOPHEAD-BRIDGEPORT


8400 West Rd.  
International Trade Centre  
Richmond BC Canada V6X 0S7  
info@clubversante.com





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**Exhibit "B" referred to in the Affidavit  
of Mo Yeung (Michael) Ching affirmed  
before me at Vancouver, British  
Columbia this 10<sup>th</sup> day of April 2025.**



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**A Commissioner/Notary Public for the  
Province of British Columbia**

## Information Request List

Name of Debtor

Club Versante

Date of Receivership

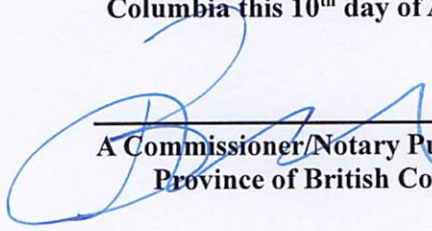
3/4/2025

Status Date

4/3/2025

Documents requested	Status	Date of initial request	Priority	Notes
Club Versante corporate organization chart and legal ownership	O/S	3/14/2025	High	
Overview of Club Versante including any other restaurants or other clubs it operates and how they are managed in terms of financing and staffing and if any staff, resources and costs are shared between Bruno and the other operations.	O/S	4/3/2025	High	
Food and beverage licenses for the Versante Hotel	O/S	3/14/2025	High	
Most recent financial statements for Club Versante as they relate to Bruno and Versante Hotel (or divisional financial statements for Bruno if available)	O/S	4/3/2025	High	
Any service contracts between Club Versante and International Trade Center Properties or Hotel Versante	O/S	3/14/2025	High	
Breakdown of the costs for Bruno to provide for breakfast and lunch services to the Hotel Versante	O/S	4/3/2025	High	
Copy of the parking lease agreement between Bygenteel Capital Inc. and Club Versante or any other parties	O/S	3/14/2025	High	
Capital asset listing in relation to the Hotel Versante and any related lease agreements	O/S	4/3/2025	High	
Club Versante's monthly reconciliation with the Hotel Versante for the period from January 2024 to February 2025	O/S	4/3/2025	High	

Exhibit "C" referred to in the Affidavit  
of Mo Yeung (Michael) Ching affirmed  
before me at Vancouver, British  
Columbia this 10<sup>th</sup> day of April 2025.



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A Commissioner/Notary Public for the  
Province of British Columbia



## Benjamin La Borie

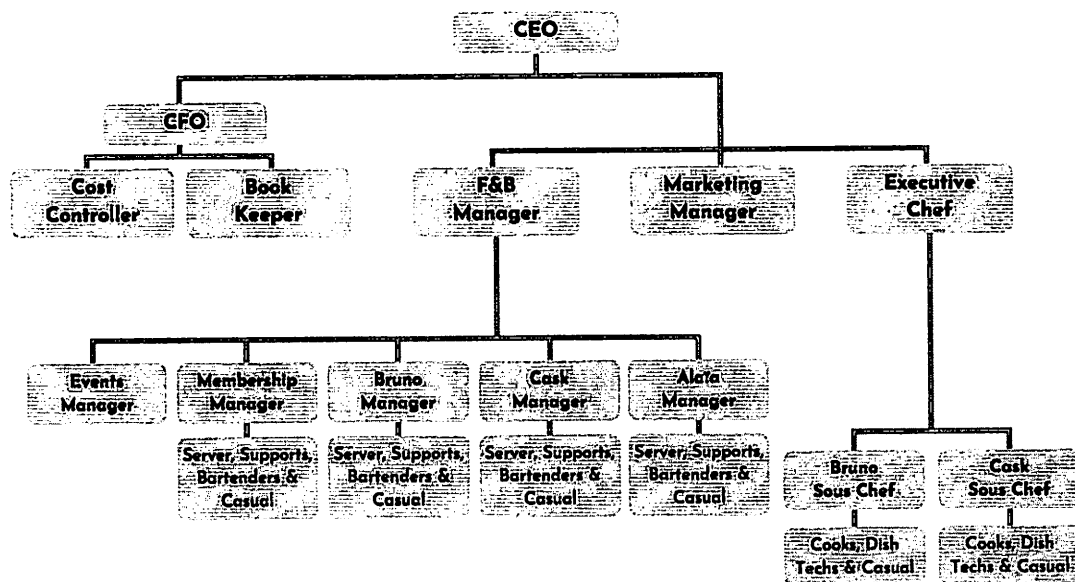
**From:** Benjamin La Borie  
**Sent:** April 9, 2025 3:59 PM  
**To:** Sandrelli, John  
**Cc:** Ritchie Clark; Federico, Cassandra; Naveed, Afshan  
**Subject:** RE: information  
**Attachments:** Bruno food primary license.pdf; Alaia Liquor primary License.pdf; Club service agreement.pdf; Bygenteel & Club parking lease agreement.pdf; 2024 Hotel Club Summary.xlsx; Club Versante Hotel AR 2025.xlsx; Bruno 2024 monthly Income statement.xlsx; Bruno breakfast/lunch daily labor cost breakdown

John,

With respect to your requests of **Club Versante Management Ltd.:**

### 1) Club Versante organization chart and ownership:

Club Versante Organizational Chart



CLUB VERSANTE

Bygenteel Capital Inc. owns 100 percent of Club Versante Management Ltd. Linda Chung Lin Ching owns 100% shares of Bygenteel.

### 2) Overview of Club Versante Including any other restaurants or other clubs it operates

Please refer to Club Versante's website at [www.clubversante.com](http://www.clubversante.com) which outlines the various restaurants it operates. It has a two-person team for inhouse accounting. The employees are paid per restaurant, and

only salaried managers would be transferred to another restaurant to cover shifts if needed. Marketing and accounting costs are shared among the restaurants but otherwise costs are incurred separately.

**3) Food and Beverages Licenses for the Versante Hotel**

Please see attached licences.

**4) Most recent financial statements as they relate to Bruno or the Versante Hotel**

Please see attached the 2024 Bruno income statement.

**5) Any service contracts between Club Versante and ITC or Hotel Versante**

Please see attached the Food and Beverage service agreement between Club Versante and the Hotel.

**6) Breakdown of the costs for Bruno to provide breakfast and lunch services to the Hotel Versante**

Please see attached email from the Hotel's Food and Beverage manager for labour costs for breakfast and lunch. Typical monthly costs are \$33k plus employer CPP and EI contribution, WorkSafebc premium, and EHT. Normally labour cost is about 40% of the sales, food cost is 25% to 35%, administrative cost is 20%-25%.

**7) Copy of the parking lease agreement between Bygenteel Capital Inc. and Club Versante and any related lease agreements**

Please see attached agreement.

**8) Capital asset listing in relation to the Hotel Versante and related lease agreement**

I'm told that this information will be provided to the Receiver by Monday April 14.

**9) Club Versante 's monthly reconciliation with Hotel Versante for the period from Jan 2024 to Feb 2025**

Please see attached spreadsheets for 2024 and 2025.

Yours truly,

**Benjamin La Borie**

Lawyer | Bridgehouse Law LLP

[www.bhlvancouver.com](http://www.bhlvancouver.com)

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**From:** Sandrelli, John <john.sandrelli@dentons.com>

**Sent:** April 3, 2025 3:13 PM

**To:** Ritchie Clark <RClark@bridgehouselaw.ca>

**Cc:** colin.brousson@ca.dlapiper.com; Benjamin La Borie <blaborie@bridgehouselaw.ca>; Naveed, Afshan <afshan.naveed@dentons.com>; Federico, Cassandra <cassandra.federico@dentons.com>; Jeff Keeble CA (jkeeble@deloitte.ca) <jkeeble@deloitte.ca>; Bao, Sally <sbao@deloitte.ca>; Govender, Aveshin <avegovender@deloitte.ca>

**Subject:** RE: information

**Importance:** High

## EXTERNAL EMAIL

Ritchie and Ben,

Please see attached the Information Request List together with the list of various bank transactions for which the Receiver has little if any information. An excel version of the attached has now also been sent to Michael Ching and Rita Zhang.

While a few items are relatively new requests, many have been outstanding for some time so hopefully those have been in process and can be provided relatively quickly. The lists are separated by entity, Hotel Versante, Club Versante and ITCP so there should be little confusion. I would suggest that you review with your clients and if there are matters that you and your clients believe, on a proper interpretation of the Amended and Restated Receivership Order and in the face of our pending application, are not producible and/or will not be produced for some reason, please let me know so that we can attempt to address well in advance of next Thursday. On my own review, they all look appropriate.

We would highlight the extensive unexplained bank transactions for which the Receiver needs clarity. To be clear, the receiver has yet to draw any conclusions in regard to those but has no detail to whom the money was advanced in many cases and for what purpose.

Please let us know if we need to discuss.

Regards,

John R. Sandrelli  
National Practice Group Leader, Restructuring, Insolvency and Bankruptcy

My pronouns are: He/Him/His

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Dentons Canada LLP | Vancouver

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**From:** Ritchie Clark <[RClark@bridgehouselaw.ca](mailto:RClark@bridgehouselaw.ca)>  
**Sent:** Thursday, April 3, 2025 1:42 PM  
**To:** Sandrelli, John <[john.sandrelli@dentons.com](mailto:john.sandrelli@dentons.com)>  
**Cc:** [colin.brousson@ca.dlapiper.com](mailto:colin.brousson@ca.dlapiper.com); Benjamin La Borie <[blaborie@bridgehouselaw.ca](mailto:blaborie@bridgehouselaw.ca)>  
**Subject:** RE: information

[WARNING: EXTERNAL SENDER]

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We may be looking to extend the time for our material by a day if that doesn't happen until tomorrow.



Ritchie

**H.C. Ritchie Clark, K.C.**

Lawyer | Bridgehouse Law LLP

[www.bhlvanancouver.com](http://www.bhlvanancouver.com)

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**From:** Sandrelli, John <[john.sandrelli@dentons.com](mailto:john.sandrelli@dentons.com)>

**Sent:** April 3, 2025 1:35 PM

**To:** Ritchie Clark <[RClark@bridgehouselaw.ca](mailto:RClark@bridgehouselaw.ca)>

**Cc:** [colin.brousson@ca.dlapiper.com](mailto:colin.brousson@ca.dlapiper.com); Benjamin La Borie <[blaborie@bridgehouselaw.ca](mailto:blaborie@bridgehouselaw.ca)>

**Subject:** RE: information

EXTERNAL EMAIL

Hope to have this to you today.

John R. Sandrelli

National Practice Group Leader, Restructuring, Insolvency and Bankruptcy

My pronouns are: He/Him/His

☐ +1 604 443 7132 | ☐ +1 604 889 3792

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**From:** Ritchie Clark <[RClark@bridgehouselaw.ca](mailto:RClark@bridgehouselaw.ca)>

**Sent:** Thursday, April 3, 2025 10:37 AM

**To:** Sandrelli, John <[john.sandrelli@dentons.com](mailto:john.sandrelli@dentons.com)>

**Cc:** [colin.brousson@ca.dlapiper.com](mailto:colin.brousson@ca.dlapiper.com); Benjamin La Borie <[blaborie@bridgehouselaw.ca](mailto:blaborie@bridgehouselaw.ca)>

**Subject:** information

[WARNING: EXTERNAL SENDER]

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Hello John

I don't think we have received the comprehensive list you spoke of in court yesterday as to what information your client says it needs.

As you know, we are under a time line of about a week, and it will take time to put the responses together. Please send it as soon as possible

Ritchie

**H.C. Ritchie Clark, K.C.\***

Lawyer | [rclark@bridgehouselaw.ca](mailto:rclark@bridgehouselaw.ca) | \*law corporation

**Bridgehouse Law LLP**

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**John R. Sandrelli**

National Practice Group Leader, Restructuring, Insolvency and Bankruptcy

My pronouns are: He/Him/His

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