

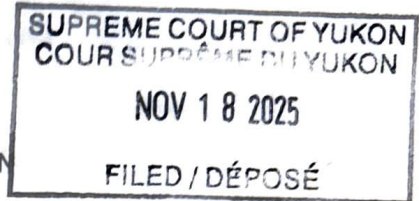
Form 52

S.C. No. 98-A 0130
(Rule 47(1))

SUPREME COURT OF YUKON

Between

CANADA MORTGAGE AND HOUSING CORPORATION



Plaintiff

and

TINTINA HOUSING SOCIETY

Defendant

NOTICE OF APPLICATION

To: The Service List attached to this Notice of Application as **Schedule "A"**

TAKE NOTICE that an application will be made by *Deloitte Restructuring Inc.*, in its capacity as Court-appointed receiver (in such capacity, the "**Receiver**") to the presiding judge at the The Law Courts, 2134 Second Avenue, Whitehorse, Yukon, ~~on December 5, 2025, at 10:00 a.m.~~ *at a time* ~~for an order substantially in the form attached hereto as Schedule "B" (the "Discharge Order").~~ *5, date to be set*

The Applicant is applying for:

1. An Order substantially in the form attached to this Notice of Application filed herewith as **Schedule "B"**, granting the following relief and directions:
 - a. An order approving and authorizing the Receiver's accounts for fees and disbursements as set out in the First Report of the Court-Appointed Receiver of Tintina Housing Society, dated November 14, 2025 and attached as Exhibit B to Affidavit #1 of Jeff Keeble, made November 14, 2025 (the "**First Report of the Receiver**");
 - b. An order approving and authorizing the accounts of the Receiver's legal counsel, Miller Thomson LLP ("**Miller Thomson**"), for its fees and disbursements, as set out in the First Report of the Receiver;

- c. An order approving and authorizing the Receiver's activities as set out in the First Report of the Receiver, and the Statement of Receipts and Disbursements as attached to the First Report of the Receiver;
 - d. An order approving and authorizing the Receiver to make payment of the Final Distribution as described in the First Report of the Receiver;
 - e. An order that the Receiver is discharged as Receiver of the Debtor, 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; and
 - f. An order that the Receiver is 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 willful misconduct on the part of the Receiver.
2. Such further and other relief as counsel may advise and this Honourable Court may permit.

The Applicant will rely on: (a) the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, as amended (the "**BIA**"), ; (b) the *Rules of Court*, YOIC 2022/168; (c) the Receivership Order; and (d) such other statutes, regulations and rules as counsel may advise and this Honourable Court may permit.

At the hearing of the application, the Applicant will rely on the following affidavit(s) and other documents:

- a. The Receivership Order;
- b. Affidavit #1^{and #2} of Jeff Keeble, affirmed November 14, 2025; and
- c. Affidavit #1 of James W. Reid, sworn November 13, 2025.

Set out brief reasons for relief:

3. All capitalized terms in this Notice of Application have the meaning given to them in the facts section below, as applicable.
4. With the distributions and the activities completed as set out in the First Report of the Receiver, the Receiver will have completed the activities contemplated by the Receivership Order. As such, the Receiver seeks to be discharged of its role as the receiver and manager of Tintina and its Property as set out in the Receivership Order.

The facts upon which the application is based are as follows:

5. Pursuant to an Order (the “**Receivership Order**”) in this Honourable Court dated September 1, 1998 (the “**Date of Receivership**”), Deloitte & Touche Inc. (now Deloitte Restructuring Inc.) was appointed as Receiver of the Tintina Housing Society (“**Tintina**” or the “**Society**”) and all of the lands and premises owned by Tintina as set forth in the Receivership Order (the “**Property**”). The Court proceedings in which the Receiver was appointed are referred to herein as the “**Receivership Proceedings**”).
6. The Receivership Order was granted pursuant to an application to the Court filed by the Canada Mortgage and Housing Corporation (“**CMHC**”). CMHC is a secured creditor of Tintina and has been providing the Receiver with the necessary funding to manage the Property.

Background

7. Tintina was incorporated as a society in the Yukon Territory on September 14, 1984.
8. Tintina is based in Watson Lake, YT, and was formed to provide off-reserve housing to members of the local indigenous communities through 19 single family homes owned by the Society and located throughout Watson Lake (the “**Tintina Houses**”). The Tintina Houses formed all of the assets or Property of the Society that the Receiver is appointed over.

9. Tintina was dissolved by the Yukon Registrar of Societies on May 18, 2021, and it has no remaining directors, officers, or members of the Society.
10. The Society had no employees at the Date of Receivership and the Receiver has, over the years, contracted a number of individuals located in the region to provide local property management services.

Assets

11. The Receiver is not aware of any assets owned by the Society as of the Date of Receivership other than the Tintina Houses.
12. Tintina's primary asset is the 19 Tintina Houses. The most recent appraisal of the Tintina Houses was completed by Bourgeois Brooke Chin Associates ("**BBCA**") with an effective date of June 16, 2025 (the "**BBCA 2025 Appraisal**").
13. 15 of the 19 Tintina Houses are occupied by tenants (the "**Tenants**").

Creditors

14. The Receiver is not aware of any priority claims that may relate to outstanding wage arrears.
15. The Receiver has kept property taxes current and no amounts are owing for property taxes.

Secured Creditors

16. CMHC, as the sole funder of the Receivership proceedings, has advanced approximately \$5.7 million since the Date of Receivership, and the Receiver understands additional amounts were owed to them prior to that date.
17. The Receiver has reviewed title searches on the Tintina Houses and notes that the Canadian Imperial Bank of Commerce, the Toronto Dominion Bank, and the Mariners Life Assurance Company (now the Manulife Financial Corporation) have registrations.
18. The Receiver is not aware of any amounts owing to these parties by the Society. These parties have been provided with notice of the Receiver's application.

Unsecured Creditors

19. The Receiver is not aware of any unsecured creditors of the Society.
20. In consideration of the time that has passed since the Date of Receivership, the Receiver has posted in the Yukon News information on the notice of the hearing.

Activities of the Receiver

21. The activities of the Receiver in the course of these Receivership Proceedings are set out in detail in the First Report of the Receiver. The Receiver has undertaken the following activities, among others, since the Date of Receivership:
 - a. Managed the Tintina Houses and all such related activities;
 - b. Engaged contractors to provide emergency repairs and long-term renovations on the Tintina Houses;
 - c. Prepared annual operating and capital budgets for CMHC and reported quarterly to CMHC regarding the same;
 - d. Corresponded with CMHC regarding budget and operations updates, ongoing funding and other requirements;
 - e. Reviewed and approved all receipts and disbursements related to the Receivership Proceedings;
 - f. Set up trust accounts for Tintina where all receipts and disbursements for the Receivership Proceedings were tracked and reconciled on a monthly basis;
 - g. Arranged for annual insurance coverage over the Property;
 - h. Retained Miller Thomson to act as independent legal counsel to the Receiver and corresponded with counsel regarding aspects of the Receivership Proceedings from time to time;
 - i. Engaged with various interested parties at several points over the intervening years with respect to acquiring the Tintina Houses;

- j. Liaised with the Yukon Residential Tenancy Office regarding the Receiver's statutory requirements with respect to tenant matters; and
- k. Initiated the Sale Process (defined below).

Sale Process

- 22. In early 2025, the Receiver reviewed the current status of the Receivership Proceedings, its ongoing role, the condition of the Tintina Houses, and the availability of contractors to complete work on the Tintina Houses. The Receiver concluded that changes were required for the well-being of the tenants.
- 23. As a result of this review, the Receiver met with CMHC in March 2025 to discuss the Receivership Proceedings and to consider possible solutions moving forward, including having another society or party take over the ownership and management of the Tintina Houses by the end of 2025.
- 24. In July 2025, the Receiver contacted CMHC to advise it had retained legal counsel in this matter and that, given the lack of interest in another society or agency purchasing or taking over care and management of the Properties, the Receiver intended to run the sale process (the "**Sale Process**") to seek a prospective buyer for the Tintina Houses.
- 25. On September 4, 2025, the Receiver contacted CMHC and advised that it would be proceeding with the Sale Process.
- 26. On October 1, 2025, the Receiver was contacted by counsel for CMHC who requested that the Receiver suspend the Sale Process.
- 27. On October 7, 2025, in consultation with CMHC, the Receiver terminated the Sale Process in its entirety.
- 28. Following the termination of the Sale Process, the Receiver was contacted by a number of parties who had signed confidentiality agreements as part of the Sale Process. The Receiver provided the contact information for these parties to CMHC.

Statement of Receipts and Disbursements

- 29. The Receiver's receipts and disbursements reflect the administration of the

Receivership Proceedings from the Date of Receivership to October 23, 2025, and are set out in detail in the First Report of the Receiver.

30. As of October 23, 2025, the Receiver's gross receipts amounted to approximately \$9.0 million, of which approximately \$5.7 million relates to Receiver borrowings from CMHC and approximately \$3.1 million relates to rental income collected since the Date of Receivership.
31. During the same period, the Receiver made disbursements totaling approximately \$7.9 million including, among other things:
 - a. \$2,095,120 in repairs, maintenance, and renovations of the Tintina Houses;
 - b. \$1,984,620 for the Receiver's fees and costs which equates to approximately \$74,000 per year;
 - c. \$1,940,352 in sales taxes; and
 - d. \$1,170,088 in insurance for the Tintina Houses.
32. The cash balance held by the Receiver as of October 23, 2025 was \$109,147 in the Operating Account and \$923,177 in the Capital Account, for a total of \$1,032,324 (collectively, the "**Remaining Funds**").

Professional Fees and Disbursements

33. From the Date of Receivership to October 23, 2025, the Receiver has invoiced approximately \$1.98 million in fees and costs (excluding taxes).
34. Details of the work required of the Receiver is set out in detail in the First Report of the Receiver.
35. Miller Thomson, counsel for the Receiver, has invoiced approximately \$33,200 in fees and costs (excluding taxes) from the Date of Receivership to August 31, 2025. An additional \$8,869 has been billed up to October 31, 2025.
36. The details of Miller Thomson's fees and disbursements in these proceedings are set out in Affidavit #1 of James W. Reid, sworn November 13, 2025.

37. The Receiver and Miller Thomson will incur further fees and disbursements to conclude its discharge and provide remaining documents to CMHC which have been estimated to total \$20,000 and \$15,000, respectively (the “**Receivership Completion Costs**”).
38. The Receiver is of the view that the work performed by the Receiver and its legal counsel was necessary and appropriate in the circumstances of the Receivership Proceedings, and that the rates charged are reasonable and in keeping with the rates charged by other Licensed Insolvency Trustees and lawyers in the market performing similar work.

Final Distribution

39. Subject to the Court granting its discharge, the Receiver proposes to pay out the Remaining Funds as follows:
 - a. Payment of the Receivership Completion Costs and any other remaining costs incidental to the Receiver concluding its administration of these Receivership Proceedings, including any of the Receiver’s outstanding invoices;
 - b. Payment to contractors for repairs of the Tintina Houses and the property manager for any remaining invoices for work being completed between the date of this Report and the Receiver’s discharge date; and
 - c. Payment to CMHC of all remaining funds as a repayment of funds provided to the Receiver.

Discharge of Receiver

40. The Receiver, in consultation with CMHC, is seeking its discharge and transition of the care and management of the Property to CMHC.
41. A receiver may wish to be discharged once it has completed the substance of its mandate, unless there is gross negligence or willful misconduct.

Government of Yukon v Yukon Zinc Corporation, 2022 YKSC 58 at para 27

42. The Receiver understands that CMHC may seek to engage a third-party manager or an alternate Receiver of the Society.
43. The Receiver understands that CMHC will allow the Tenants to continue to occupy the Tintina Houses pursuant to the terms and conditions of their existing leases.

43. Based on the foregoing, the Receiver respectfully requests the Court grant the orders cited in this Notice of Application.

The Applicant estimates that the application will take one hour.

If you wish to receive notice of the time and date of the hearing or to respond to the application, you must, within the proper time for response:

- a. deliver to the applicant:
 - i. 2 copies of a Response in Form 11; and
 - ii. 2 copies of each of the affidavits in Form 59 and other documents, not already in the court file, on which you intend to rely at the hearing;
- b. deliver to every other party of record:
 - i. 1 copy of a Response in Form 11; and
 - ii. 1 copy of each affidavit in Form 59 and other document, not already in the court file, on which you intend to rely at the hearing.

TIME FOR RESPONSE

The Response must be delivered on or before the 8th day after the later of

- a. the last date fixed for entry of appearance by you; and
- b. the date on which the Notice of Application was delivered to you.

Dated November 17, 2025



James W. Reid
Miller Thomson LLP
Solicitors for the Applicant Receiver
525-8th Avenue S.W., 43rd Floor, Eight Avenue Place East
Calgary, Alberta T2P 1G1

Email: jwreid@millerthomson.com
Tel.: 403-298-2417

SCHEDULE "A"

S.C. No. 98-A 0130

IN THE SUPREME COURT OF THE YUKON TERRITORY

BETWEEN

CANADA MORTGAGE AND HOUSING CORPORATION

PLAINTIFF

AND

TINTINA HOUSING SOCIETY

DEFENDANT

SERVICE LIST

Deloitte Restructuring Inc., in its capacity as Court-appointed Receiver 410 West Georgia Street Vancouver, BC V6B 1Z3 Attention: Jeff Keeble and Kaleb Butt Email: jkeeble@deloitte.com kbutt@deloitte.com <i>Court-appointed Receiver of Tintina Housing Society</i>	Dentons Canada LLP 20th Floor, 250 Howe Street Vancouver, BC V5C 3R8 Attention: Jordan Schultz and Nicholas Tsang Email: jordan.schultz@dentons.com Nicholas.tsang@dentons.com <i>Counsel for the Canada Mortgage and Housing Corporation</i>
Miller Thomson LLP 525-8th Avenue S.W., 43rd Floor Eighth Avenue Place East Calgary, Alberta T2P 1G1 Attention: James Reid and Balpreet Khatra Email: jwreid@millerthomson.com bkhatra@millerthomson.com <i>Counsel for the Receiver</i>	Canada Mortgage and Housing Corporation 1100 René-Lévesque Boulevard West, 1st Floor, Ville-Marie, Montréal, H3B 5J7 Attention: Stéphane Lebrun Email: slebrun@cmhc-schl.gc.ca <i>Secured Creditor</i>
Tintina Housing Society Box 499 Watson Lake, YT Y0A 1C0	The Toronto Dominion Bank 200 Main St Whitehorse, YT Y1A 2A9
The Canadian Imperial Bank of Commerce 812 Adela Trail Watson Lake, YT Y0A 1C0	The Maritime Life Assurance Company Department of Community Services 307 Black St. Whitehorse, YT Y1A 2N1

CIBC Mortgage Corporation 110 Main Street Whitehorse, Y1A 2A8	Property Manager 602 Hyland, Watson Lake, YT Attention : Lois Dicknoether Email : lois.dicknoether@icloud.com <i>Receiver-contracted property manager for the Tintina Housing Society.</i>
Tenant 602 Hyland Ave., Watson Lake, YT Y0A 1C0 Attention : Doreen Charlie Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>	Tenant 606 Hyland Ave., Watson Lake, YT Y0A 1C0 Attention : Peter Callbreath Melinder Callbreath Email : N/A <i>Tenants of Tintina Housing Society property. Service must be via mail.</i>
Tenant 718 Hyland Ave., Watson Lake, YT Y0A 1C0 Attention : Colleen Dennis Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>	Tenant 710 Liard Ave, Watson Lake, YT Y0A 1C0 Attention : Wade Klassen Email : wade@kehs.ca <i>Tenant of Tintina Housing Society property.</i>
Tenant 712 Liard Ave, Watson Lake, YT Y0A 1C0 Attention : Hope Pappineau Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>	Tenant 134 Morley Cres., Watson Lake, YT Y0A 1C0 Attention : Lillian Campbell Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>

Tenant 102 Nisutlin St., Watson Lake, YT Y1A 2J6 Attention : Brittany Dennis Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>	Tenant 103 Nisutlin St., Watson Lake, YT Y1A 2J6 Attention : Agnes Reid Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>
Tenant 109 Nisutlin St., Watson Lake, YT Y1A 2J6 Attention : Byron Dennis Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>	Tenant 110 Nisutlin St., Watson Lake, YT Y1A 2J6 Attention : Georgina Lutz Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>
Tenant 124 Nisutlin St., Watson Lake, YT Y0A 1C0 Attention : Troy Smith Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>	Tenant 905 Ravenhill Dr., Watson Lake, YT Y1A 2J6 Attention : Shawn Callbreath Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>
Tenant 908 Ravenhill Dr., Watson Lake, YT Y0A 1C0 Attention : Nora Abou Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>	Tenant 909 Ravenhill Dr., Watson Lake, YT Y0A 1C0 Attention : Kendra Hotson Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>

Tenant 705 Stikine Ave., Watson Lake, YT Y0A 1C0 Attention : Faith Dennis Email : N/A <i>Tenant of Tintina Housing Society property. Service must be via mail.</i>	
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EMAIL LIST:

jkeeble@deloitte.com; kbutt@deloitte.com; jordan.schultz@dentons.com;
Nicholas.tsang@dentons.com; jwreid@millerthomson.com; bkhatra@millerthomson.com ;
slebrun@cmhc-schl.gc.ca; lois.dicknoether@icloud.com

REGISTERED MAIL:

Doreen Charlie 602 Hyland Ave. Watson Lake, YT Y0A 1C0	Peter Callbreath and Melinder Callbreath 606 Hyland Ave. Watson Lake, YT Y0A 1C0
Colleen Dennis 718 Hyland Ave. Watson Lake, YT Y0A 1C0	Wade Klassen 710 Liard Ave Watson Lake, YT Y0A 1C0
Hope Pappineau 712 Liard Ave Watson Lake, YT Y0A 1C0	Lillian Campbell 134 Morley Cres. Watson Lake, YT Y0A 1C0
Brittany Dennis 102 Nisutlin St. Watson Lake, YT Y1A 2J6	Agnes Reid 103 Nisutlin St. Watson Lake, YT Y1A 2J6
Byron Dennis 109 Nisutlin St. Watson Lake, YT Y1A 2J6	Georgina Lutz 110 Nisutlin St. Watson Lake, YT Y1A 2J6
Troy Smith 124 Nisutlin St. Watson Lake, YT Y0A 1C0	Shawn Callbreath 905 Ravenhill Dr. Watson Lake, YT Y1A 2J6
Nora Abou 908 Ravenhill Dr. Watson Lake, YT Y0A 1C0	Kendra Hotson 909 Ravenhill Dr. Watson Lake, YT Y0A 1C0
Faith Dennis 705 Stikine Ave. Watson Lake, YT Y0A 1C0	Tintina Housing Society Box 499 Watson Lake, YT Y0A 1C0

The Canadian Imperial Bank of Commerce 812 Adela Trail Watson Lake, YT Y0A 1C0	The Toronto Dominion Bank 200 Main St Whitehorse, YT Y1A 2A9
CIBC Mortgage Corporation 110 Main Street Whitehorse, Y1A 2A8	The Maritime Life Assurance Company Department of Community Services 307 Black St. Whitehorse, YT Y1A 2N1

SCHEDULE "B"

Form 44

S.C. No. 98-A 0130
(Rule 43(3))

SUPREME COURT OF YUKON

Between

CANADA MORTGAGE AND HOUSING CORPORATION

Plaintiff

and

TINTINA HOUSING SOCIETY

Defendant

ORDER (Discharge of Receiver)

BEFORE THE HONOURABLE) Friday, the 5th
CHIEF JUSTICE/JUSTICE) day of December, 2025
)

THE APPLICATION of *Deloitte Restructuring Inc.*, in its capacity as Court-appointed receiver (in such capacity, the "**Receiver**") of Tintina Housing Society ("**Tintina**" or the "**Debtor**"), coming for hearing at Whitehorse, Yukon on the 5th day of December, 2025, and on hearing James W. Reid of Miller Thomson LLP, lawyers for the Receiver;

AND UPON READING the material filed herein, including the Notice of Application filed November 17, 2025, the Affidavit #1 of Jeff Keeble, made November 14, 2025 (the "**Affidavit of Jeff Keeble**"), and the Affidavit #1 of James W. Reid, made November 13, 2025 (the "**Affidavit of James Reid**");

THIS COURT ORDERS that:

1. The Receiver's accounts for fees and disbursements, as set out in the First Report of the Court-Appointed Receiver of Tintina Housing Society, dated November 14, 2025 and attached as Exhibit B to the Affidavit of Jeff Keeble (the "**First Report of the Receiver**"), are hereby approved.

2. The accounts of the Receiver's legal counsel, Miller Thomson LLP, for its fees and disbursements, as set out in the Affidavit of James Reid, are hereby approved.
3. The Receiver's activities as set out in the First Report of the Receiver, and the Statement of Receipts and Disbursements as attached to the First Report of the Receiver, are hereby approved.
4. The Receiver's payment of the Final Distribution as described in the First Report of the Receiver is hereby approved.
5. 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 willful misconduct on the part of the Receiver.
6. No action or other proceedings shall be commenced against the Receiver in any way arising from or related to its capacity or conduct as Receiver, except with prior leave of this Court on notice to the Receiver, and upon such terms as this Court may direct.
7. The Receiver is discharged as Receiver of the Debtor, 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.

By the Court

Clerk of the Court

Approved as the Order made:

James W. Reid
Miller Thomson LLP
Solicitors for the Applicant Receiver