

SUPERIOR COURT OF JUSTICE – ONTARIO

THE TORONTO-DOMINION BANK

v.

ROY WORNACOTT

FOR THE PLAINTIFF(S)/APPLICANT(S):

FOR THE DEFENDANT(S)/RESPONDENT(S):

June 23, 2023, by Zoom. Justice I.F. Leach presiding

ENDORSEMENT

①/②

- Mr Bowden appears for the moving ~~Applicant~~ Applicant. ^{3:45 PM}
- Mr one appears for the self-represented Mr Wornacott (~~Respondent~~),
"the Respondent".
- Having reviewed the Applicant's material, I am satisfied that the requested value is appropriate in the circumstances, without limiting the generality of the foregoing:
 - The Applicant has obtained a court judgment in relation to the underlying debt & Mortgage, relating to the subject property;
 - There are potential environmental concerns & corresponding potential responsibilities & liabilities of the Applicant or its agent arising immediately prior to the property;
 - The Court has authority to appoint a Receiver/Manager pursuant to the Bankruptcy & Insolvency Act and the Creditors of Justice Act, and the right to appoint such a Receiver/Manager appears in the relevant underlying Standard Charge Agreement.

(ctd)

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- Draft order, (representing a modified form of the model order used in the Toronto Comm. Court, adapted to this situation, and making it clear that the order is intended to apply to the real estate and fixtures of the property in question, but not the personally (therein) received, finalized & signed.
- For clarity: ~~it is not my intention to~~ grant any relief today that obviates the need for the Applicant to Accrue. to comply with Rule 60.10 before any writ of Possession is obtained in relation to the property in question.


Leach J

(2) / (2)