

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED**

**MOTION RECORD
(returnable December 14, 2020)**

December 8, 2020

MILLER THOMSON LLP

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TAB 1

District: Ontario
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**ONTARIO
SUPERIOR COURT OF JUSTICE
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**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED**

**NOTICE OF MOTION
(returnable December 14, 2020)**

Conforti Holdings Limited ("**Conforti**") will make a motion to the court on December 14, 2020 at 12:30 a.m. by videoconference due to the COVID-19 pandemic.

PROPOSED METHOD OF HEARING: The motion is to be heard orally.

THE MOTION IS FOR:

- (a) an order:
 - (i) if necessary, abridging the time for service and filing of this notice of motion and the motion record and dispensing with further service thereof;
 - (ii) approving the second report of Crowe Soberman Inc., in its capacity as proposal trustee in these proceedings (the "**Proposal Trustee**"), to be filed (the "**Second Report**"), and the conduct and activities of the Proposal Trustee as described therein;
 - (iii) extending the time to file a proposal from December 14, 2020 to January 28, 2021; and
- (b) such further and other relief as this Honourable Court may deem just.

THE GROUNDS FOR THE MOTION ARE:

- (c) Conforti filed a notice of intention to make a proposal, dated September 28, 2020 (the “**NOI**”) under which the Proposal Trustee was appointed.
- (d) Conforti is an Ontario corporation that, as at the date of the NOI filing, operated 51 beauty salons under 10 different trade names in Southern Ontario. All but one of Conforti’s beauty salons are located inside shopping malls of varying sizes including ones such as the Eaton Centre in Toronto.
- (e) Conforti currently has approximately 500 employees and 300 independent contractors.
- (f) Conforti initiated NOI proceedings on account of the financial pressure arising from the COVID-19 pandemic and demands from one of its landlords. The COVID-19 pandemic, including the closure of all shopping malls for approximately three months and the subsequent reduced foot traffic in the shopping malls, has negatively impacted Conforti’s liquidity and its ability to fund business operations.
- (g) Conforti’s management is of the view that a restructuring of Conforti’s business operations through the proposal process is necessary to maximize repayment of Conforti’s obligations to its stakeholders.

Extension of Time to File a Proposal

- (h) By order dated October 26, 2020, the Honourable Madam Justice Conway extended the time for Conforti to make a proposal from October 28, 2020 to December 14, 2020, to enable Conforti to develop a proposal for its creditors (the “**Stay Extension**”).

- (i) At the time the Stay Extension was granted, Conforti intended to use the extension to formulate a proposal for its creditors. However, effective November 23, 2020, the Government of Ontario has placed Toronto and Peel Regions in lockdown such that 15 of Conforti’s salons are required to be closed until at least December 21, 2020. It is uncertain whether or not the lockdown will be lifted later this month. Unfortunately this means that some of Conforti’s larger revenue generating operations will be closed during their busiest month through the Christmas holiday season.
- (j) This closure has significantly reduced Conforti’s cash flows and, as a result, compounded its financial difficulties and complicated its efforts to develop a proposal.
- (k) Conforti is requesting a further extension of the stay of proceedings and the time by which to file a proposal from December 14, 2020 to January 28, 2021, to enable Conforti to continue its negotiations with its landlords and develop a proposal for its creditors.
- (l) Further, on November 19, 2020, the Government of Canada approved a revamped rent subsidy program for commercial tenants known as the “Canada Emergency Rent Subsidy” (“**CERS**”). Under CERS, any business that has suffered a drop in revenue compared to a prior period will be eligible for a subsidy of up to 65% of their eligible expenses, including rent payments. Businesses that are forced to close due to a public health order in response to the pandemic are also eligible for an additional 25% subsidy for qualifying properties.
- (m) Conforti has determined that it may be eligible for CERS and is in the process of applying for the rent subsidy. However, Conforti has not received any payments

under the program and does not expect to receive such payments until the week of December 14, 2020.

- (n) Conforti's cash flow projections indicate that the company has sufficient cash flow to meet its financial obligations during the proposed extension period.
- (o) Conforti has acted, and continues to act, in good faith and with due diligence.
- (p) Conforti will likely be able to make a viable proposal to its creditors if the requested extension is granted.
- (q) No creditor will be materially prejudiced if the extension is granted.
- (r) The Proposal Trustee supports the proposed extension of time to file a proposal.
- (s) The provisions of the *Bankruptcy and Insolvency Act*, R.S.C. 1985., c. B-3, as amended, and the statutory, inherent and equitable jurisdiction of this Court;
- (t) Rules 1.04, 2.01, 2.03, 3.02, 16 and 37 of the *Rules of Civil Procedure*, R.R.O., 1990, Reg. 194, as amended, section 106 of the *Courts of Justice Act*, R.S.O. 1990, c. C. 43, as amended; and
- (u) Such further and other grounds as the lawyers may advise.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the Motion:

- (a) The Second Report, together with the appendices thereto;
- (b) The Affidavit of Antonio Conforti, sworn December 8, 2020, together with the exhibits thereto; and

- (c) such further and other evidence as the lawyers may advise and this Honourable Court may permit.

December 8, 2020

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IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

**NOTICE OF MOTION
(RETURNABLE DECEMBER 14, 2020)**

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Lawyers for Conforti Holdings Limited

TAB 2

District: Ontario
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**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED**

**AFFIDAVIT OF ANTONIO CONFORTI
(sworn December 8, 2020)**

I, Antonio Conforti, of the City of Richmond Hill, Province of Ontario, MAKE OATH AND SAY:

1. I am the President and a director of Conforti Holdings Limited ("**Conforti**" or the "**Company**"). As such, I have knowledge of the matters to which I hereinafter depose, which knowledge is personal to me, obtained from a review of the documents referred to or, where indicated, I am advised by others in which case I believe such information to be true.

A. Overview

2. The affidavit is made in the context of Conforti's notice of intention to make a proposal ("**NOI**") proceedings (the "**Proposal Proceedings**") under the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the "**BIA**"), and in support of a motion by Conforti for an order:

- a. approving the second report of Crowe Soberman Inc., in its capacity as proposal trustee in these proceedings (the "**Proposal Trustee**") and the conduct and activities of the Proposal Trustee as described therein; and
- b. extending the time for Conforti to file a proposal to its creditors up to and including January 28, 2021.

B. Background: Conforti's Business and Operations

3. Conforti is a privately-held corporation that, as at the date of Conforti's NOI filing, operated 51 beauty salons under 10 different trade names in Southern Ontario.

4. Conforti has been a family owned and operated business for more than 44 years. I started the business in 1977.

5. Conforti's salons, save and except for a location in Collingwood, Ontario, are located in rental units in shopping malls and commercial office buildings across Southern Ontario. The Collingwood property is located in an outdoor shopping plaza.

6. Conforti owns and operates its head office from a 11,000 square foot commercial property municipally known as 7755 Warden Avenue, Unit 2, Markham, Ontario (the "**Head Office**").

7. Conforti currently has approximately 500 employees and 300 independent contractors working at the Head Office and salons as stylists, estheticians, and front desk personnel.

C. Activities Since the Proposal Extension

8. On September 28, 2020, Conforti filed the NOI and Crowe Soberman Inc. was appointed Proposal Trustee.

9. The time for Conforti to file a proposal to its creditors was extended to December 14, 2020, by Order of the Honourable Madam Justice Conway, dated October 26, 2020 (the "**Proposal Extension Order**").

10. Since the Proposal Extension Order, Conforti has been working with the Proposal Trustee and its financial advisors to ensure that the company's operations will continue uninterrupted during the Proposal Proceedings.

11. Since the Proposal Extension Order, Conforti's activities have included:
 - a. negotiating with its landlords in respect of lease payments during the Proposal Proceedings;
 - b. working with the Proposal Trustee in regards to Conforti's Proposal Proceedings;
 - c. negotiating with Conforti's trade suppliers to ensure the timely and ongoing supply of goods and services to the Company;
 - d. attending to numerous inquiries of creditors, landlords, and other stakeholders;
 - e. applying for the government of Canada's commercial rent subsidy program;
 - f. vacating those salons where the leases were terminated by Conforti's landlords or disclaimed by the Company; and
 - g. operating Conforti's remaining 42 salons.

12. As noted in my affidavit, sworn October 21, 2020 ("**First Conforti Affidavit**"), on September 29 and October 8, 2020, Conforti sent a total of seventeen notices to lessor to disclaim or resiliate a lease by a commercial tenant to its landlords. Since disclaiming those leases, Conforti has reached agreements with landlords of 11 of its salon locations to continue to lease the space on a month-to-month basis.

13. On November 20, 2020, the Government of Ontario announced that Toronto and Peel region would be moved into lockdown pursuant to the Keeping Ontario Safe and Open Framework on November 23, 2020, for a minimum of 28 days, until December 21, 2020 (the "**Lockdown**"). As a result, Conforti was required to close 15 of its salons in Toronto and Peel effective November 23, 2020. Attached as **Exhibit "A"** is a copy of the Province of Ontario

News Release, "Ontario Taking Further Action to Stop the Spread of COVID-19", dated November 20, 2020.

14. Shutting the salons as a result of the Lockdown has further compounded Conforti's financial difficulties by significantly reducing the Company's cash flow.

15. The Lockdown has also complicated Conforti's efforts to develop a proposal to its creditors. The Company had intended to make a proposal during the extension of time granted by the Proposal Extension Order. However, the Lockdown has not only immediately constrained the Company's cash flows but has also made it difficult to predict future cash flows because of the uncertainty associated with the Lockdown and whether it will be extended.

16. As noted in the First Conforti Affidavit, the Government of Canada announced a revamped rent subsidy for commercial tenants known as the "Canada Emergency Rent Subsidy" ("**CERS**") on or about October 9, 2020. On November 19, 2020, Bill C-9, which contained CERS, received royal assent. Under CERS, any business that suffered a drop in revenue compared to a previous period will qualify for a subsidy of up to 65% of their eligible expenses. There is no minimum revenue drop required to qualify for the subsidy. The total amount of the subsidy is dependent on the percentage of a business's revenue drop. Businesses that are forced to close due to a public health order in response to the pandemic are also eligible for an additional 25% subsidy. Attached as **Exhibit "B"** is a copy of the Government of Canada's Canada Emergency Rent Subsidy (CERS) Who can apply webpage.

17. Eligible expenses include, among other things, commercial rent, property taxes, and property taxes. CERS is retroactive to September 27, 2020.

18. Conforti has determined that it may be eligible for CERS and has started the process of applying for the subsidy program. The cash from CERS has not been received to date. Conforti expects to receive payments under the CERS program as follows:

Week Payment Received	Period for Payment	Amount of Payment
Week of December 14, 2020	September 27 – October 4, 2020	\$91,000
Week of December 21, 2020	October 25 – November 21, 2020	\$97,000
Week of January 11, 2020	November 22, 2020 – December 19, 2020	\$122,000

D. Proposal Period Extension

19. Absent an extension of time, Conforti will be required to file a proposal to creditors by December 14, 2020.

20. Granting an extension of time to file a proposal up to and including January 28, 2021, will afford Conforti the necessary time to continue to negotiate with its landlords and develop a viable proposal to its creditors.

21. A projected cash flow will be prepared by the Proposal Trustee for a period commensurate with the requested stay extension.


22. Conforti has been acting and continues to act in good faith and with due diligence in the Proposal Proceedings.

23. I do not believe that any creditor would be materially prejudiced if the extension was granted and that Conforti's stakeholders generally will be better off if the business is preserved as a going concern than they would be in a bankruptcy liquidation.

24. The Proposal Trustee has advised Conforti that it supports the motion for the relief set out in paragraph 2 of this Affidavit.

25. Accordingly, Conforti seeks an extension of the stay of proceedings and the time to file a proposal from December 14, 2020 to January 28, 2021.

SWORN BEFORE ME via video-conference with the deponent in the City of Markham, Ontario, and the Commissioner in the City of Toronto, Ontario this 8th day of December, 2020

DocuSigned by:



A Commissioner for taking Affidavits (or as may be)

DocuSigned by:

Antonio Conforti

Note: This affidavit was commissioned via simultaneous video-conference in accordance with the *Commissioners for taking Affidavits Act*, R.S.O. 1990, CHAPTER C.17, and the Law Society of Ontario: COVID-19 Response Statement interpretation of that Act, under which (i) the identity of the deponent was confirmed from government issued identification, (ii) the commissioner administered the oath or affirmation, (iii) the deponent affixed their electronic signature to the affidavit and transmitted the full electronic affidavit, as sworn or affirmed, including exhibits to the commissioner, (iv) the deponent confirmed their electronic signature to the commissioner, (v) the commissioner affixed their electronic signature to the affidavit including exhibits.

This is **Exhibit “A”** to the
Affidavit of Antonio Conforti
Sworn on December 8, 2020.

DocuSigned by:

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A Commissioner, etc.

NEWS RELEASE

Ontario Taking Further Action to Stop the Spread of COVID-19

Province Also Doubling Financial Support for Businesses Affected by Additional Restrictions

November 20, 2020

[Office of the Premier](#)

TORONTO — In consultation with the Chief Medical Officer of Health, local medical officers of health, and other health experts, the province is moving certain public health unit regions to new levels in the [Keeping Ontario Safe and Open Framework](#), which includes moving Toronto and Peel into Lockdown. These necessary measures are being taken to limit community transmission of COVID-19 in order to keep schools open, safeguard health system capacity, and protect the province's most vulnerable populations.

Details were provided today by Premier Doug Ford, Christine Elliott, Deputy Premier and Minister of Health, Rod Phillips, Minister of Finance, and Dr. David Williams, Chief Medical Officer of Health.

"With the numbers rising rapidly in certain regions, we have to make the tough, but necessary decisions now to protect our hospitals, long-term care and retirement homes, and every person in this province," said Premier Ford. "We cannot afford a province-wide lockdown, so we are taking preventative action today by moving Toronto and Peel into Lockdown level restrictions and other regions into higher levels of restrictions. We need to take decisive action to stop the spread of this deadly virus."

Over the past week, some regions under the Red-Control level have continued to see worsening trends in key indicators, despite having a range of public health measures and restrictions in place since early October. Based on the latest data, the government intends to move Peel Public Health and Toronto Public Health into Lockdown effective Monday, November 23, 2020 at 12:01 a.m. This action is being taken to help stop the spread of COVID-19, while prioritizing the continued opening of schools, child care centres and other key services to the fullest extent possible.

Measures under Lockdown include, but are not limited to:

- Schools, before and after school programs, and child care will remain open;
- Post-secondary schools open for virtual learning with some limited exceptions for training that can only be provided in-person, such as clinical training or training related to a trade;
- No indoor organized public events or social gatherings except with members of the same household. Individuals who live alone, including seniors, may consider having exclusive, close contact with another household;
- Outdoor organized public events or social gatherings limited to a maximum of 10 people;
- Wedding services, funeral services and religious services, rites or ceremonies where physical distancing can be maintained can have up to 10 people indoors or 10 people outdoors;
- Retail permitted to be open for curbside pick-up or delivery only, with certain exceptions such as for supermarkets, grocery stores, pharmacies, hardware stores, discount and big box retailers selling groceries, beer, wine and liquor stores, safety supply stores, and convenience stores, which will be allowed to operate at 50 per cent capacity;
- Restaurants, bars, and food and drink establishments will only be able to provide takeout, drive-through and delivery. Indoor and outdoor dining services are prohibited;
- Personal care services closed;
- Casinos, bingo halls and other gaming establishments closed; and
- Indoor sports and recreational facilities, including pools, closed with limited exceptions.

The Chief Medical Officer of Health and health experts will continue to provide advice to the government using criteria, including:

- Epidemiological indicators such as the number and rate of COVID-19 cases and test positivity;
- Health system capacity indicators including hospital and Intensive Care Unit capacity, access to ventilators and ongoing availability of personal protective equipment;

- Public health sector capacity, including the number of COVID-19 cases and contacts being reached by local public health officials within one day; and
- Ongoing testing of suspected COVID-19 cases, especially of vulnerable populations, to detect new outbreaks quickly.

"As public health indicators continue to worsen in regions across the province, particularly in hotspots like Peel and Toronto, it is clear that more needs to be done to limit community spread of COVID-19," said Minister Elliott. "As we have seen around the world, lockdowns are a difficult but necessary step to stop the spread, safeguard the key services we rely on and protect our health system capacity. With the recent positive news on the development of a vaccine, there is a real hope that we can defeat this deadly virus, but for now we all must continue to follow public health advice and strictly adhere to the restrictions in place."

Based on the latest data, the following public health unit regions will move from their current level in the framework to the following levels effective Monday, November 23, 2020 at 12:01 a.m.:

- Red-Control
 - Durham Region Health Department; and
 - Region of Waterloo Public Health and Emergency Services.
- Orange-Restrict
 - Huron Perth Public Health;
 - Simcoe Muskoka District Health Unit;
 - Southwestern Public Health; and
 - Windsor-Essex County Health Unit.
- Yellow-Protect
 - Chatham-Kent Public Health;
 - Eastern Ontario Health Unit;
 - Grey Bruce Health Unit;
 - Kingston, Frontenac and Lennox & Addington Public Health;
 - Peterborough Public Health; and
 - Thunder Bay District Health Unit.

Please visit [Ontario.ca/covidresponse](https://ontario.ca/covidresponse) for the full list of public health region classifications.

Trends in public health data will continue to be reviewed weekly to determine if public health units should stay where they are or be moved into a higher level. Public health units will stay in their level for a minimum of 28 days, or two COVID-19 incubation periods, at which time, the government will assess the impact of public health measures to determine if the public health unit should stay where they are or be moved to a different level. The Ministry of Health will continue to communicate regularly with local medical officers of health on local context and conditions to help inform the classification of their public health unit region.

For long-term care homes, [visitor restrictions](#) apply to those homes in the public health units that are in the Orange-Restrict level or higher. To further protect the health and safety of those in long-term care homes, staff, essential caregivers and support workers who provide direct care to residents in those regions will be tested more frequently for COVID-19, moving from bi-weekly tests to weekly as of November 23, 2020. In addition, support workers who provide direct care and caregivers in those regions will be asked to provide proof of a negative COVID-19 test result in the past week and verbally attest that they have not subsequently tested positive.

For retirement homes, homes in public health regions that are in Red-Control or higher will be in high alert with visitor restrictions as outlined in the Retirement Homes COVID-19 Visitor Policy. Homes will continue to be notified of their alert status by the Retirement Homes Regulatory Authority.

"Advising regions to move into a lockdown is not a decision we take lightly, but it is one that is needed to ensure the safety of the people of Peel and Toronto," said Dr. Williams. "Now more than ever, it is critical that all Ontarians continue to follow public health advice to help stop the spread of the virus. Everyone has a role to play to protect each other. We are interdependent and nothing can be done without the commitment of each individual, family and community."

To further support public health regions, the province is making additional enforcement mechanisms available to local medical officers of health who have applied additional measures based on their local conditions and needs. The government is amending Ontario Regulation 950 under the *Provincial Offences Act*, allowing for a ticket to be issued for any contravention of a COVID-19 specific communicable disease class order issued by a medical officer of health. The government will also ask the Chief Justice of the Ontario Court of Justice to establish a set fine to be attached to any ticket issued for violating a section 22 order relating to COVID-19 made by a local medical officer of health.

"We are asking Ontarians to familiarize themselves with the restrictions in place, follow the rules and public health guidance, and support enforcement officers who are working to help prevent the further spread of COVID-19," said Solicitor General Sylvia Jones. "Our government will continue to work with law enforcement to ensure they have the tools they need to promote public safety and take the enforcement actions needed to prevent unsafe behaviour."

Additional Supports Available for Businesses Affected by COVID-19 Public Health Measures

The Ontario government is now providing \$600 million in relief to support eligible businesses required to close or significantly restrict services due to enhanced public health measures, doubling its initial commitment of \$300 million made in the 2020 Budget, Ontario's Action Plan: Protect, Support Recover.

Businesses can apply online for temporary property tax and energy cost rebate grants from the province, via an easy-to-use one-window portal. The rebates will cover the length of time that a business is required to temporarily close or significantly restrict services as a result of being located in an area categorized as Red-Control or Lockdown, or previously categorized as modified Stage 2 public health restrictions. Most businesses can expect to receive their rebate payments within a few weeks of submitting a complete application. A detailed list of eligible businesses, as well as instructions for applying, can be found at [Ontario.ca/covidsupport](https://ontario.ca/covidsupport).

The federal and provincial governments have been working collaboratively together to deliver benefits and supports to individuals, families and businesses since the onset of COVID-19. Consistent with this, Ontario will work with the federal government to ensure these supports for businesses in COVID-19 hotspots are available in the most straightforward and seamless way possible by integrating these rebates with the federal Canada Emergency Rent Subsidy (CERS) program.

"We will double the funding we have made available to support employers and jobs affected by the necessary public health measures we are taking to protect people during the second wave," said Minister Phillips. "All of us know a small business owner struggling due to COVID-19. These necessary public health measures we have outlined today will create new challenges — but as we committed in Ontario's Action Plan: Protect, Support, Recover, we will continue to be there to protect jobs and support employers."

Quick Facts

- If you have questions about what will be open or impacts to your business or employment, call the Stop the Spread Business Information Line at 1-888-444-3659.
- Find out what level and which [regional public measures](#) are in place for your area.
- Municipalities and local medical officers of health may have additional restrictions or targeted requirements in their region, on top of the public health measures required at their specific level.
- The Ontario government has developed a \$2.8 billion COVID-19 fall preparedness plan, [Keeping Ontarians Safe: Preparing for Future Waves of COVID-19](#), to ensure the province's health care, long-term care and education systems are prepared for the immediate challenges of the fall, including a second wave of COVID-19 and the flu season.
- Get tested if you have [symptoms compatible with COVID-19](#), or if you have been advised of exposure by your local public health unit or through the COVID Alert app. Visit [Ontario.ca/covidtest](https://ontario.ca/covidtest) to find the nearest testing location.
- To find the right supports, visit [COVID-19: Support for People](#), which has information about the many available and free mental health services and supports.
- To stay safe you can download the COVID Alert App free from the Apple and Google Play app stores.

Additional Resources

- [Ontario's Action Plan: Protect, Support, Recover](#)
- [Ontario Updating COVID-19 Response Framework to Help Stop the Spread of COVID-19](#)
- [Ontario's Action Plan: Responding to COVID-19](#)
- [Property Tax and Energy Cost Rebates](#)
- Visit Ontario's [website](#) to learn more about how the province continues to protect the people of Ontario from COVID-19.

Related Topics

Government

Learn about the government services available to you and how government works. [Learn more](#)

Health and Wellness

Get help navigating Ontario's health care system and connecting with the programs or services you're looking for. [Learn more](#)

Media Contacts

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This is **Exhibit “B”** to the
Affidavit of Antonio Conforti
Sworn on December 8, 2020.

DocuSigned by:

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A Commissioner, etc.



Government
of Canada

Gouvernement
du Canada

[Canada.ca](#) > [Business and industry](#) > [Canada Emergency Rent Subsidy \(CERS\)](#)

Canada Emergency Rent Subsidy (CERS)

- ① Who can apply
- ② [Periods you can apply for](#)
- ③ [Expenses you can claim](#)
- ④ [Calculate your subsidy amount](#)
- ⑤ [How to apply.](#)
- ⑥ [After you apply.](#)
- ⑦ [Contact us about CERS](#)

Who can apply

Eligibility criteria

To be eligible to receive the rent subsidy, you must meet **all four** of the following criteria – you:

① Meet at least one of these conditions:

- a. You had a CRA business number on September 27, 2020



b. You had a payroll account on March 15, 2020, or another person or partnership made payroll remittances on your behalf



c. You purchased the business assets of another person or partnership who meets condition 2 above, and have made an election under the special asset acquisition rules

These special asset acquisition rules are the same for the Canada Emergency Wage Subsidy (CEWS).

[Learn more about the special asset acquisition rules on the CEWS FAQ page](#)



d. You meet other prescribed conditions that might be introduced

Note: there are no prescribed conditions at this time



If you don't have a business number but you qualify under condition **b or c**, you will need to set one up before you are able to apply for CERS.

You **do not** need a payroll account to apply for CERS.

2 Are an eligible business, charity, or non-profit (eligible entity)

▶ Check which types of businesses, charities, or non-profits are eligible

If your business, charity, or non-profit is related to another eligible entity, you may be considered an "affiliated entity". This may affect your calculations for the subsidy.

▶ Learn more about affiliated entities

3 Experienced a drop in revenue

Your drop in revenue is calculated by comparing your eligible revenue during the reference period with your eligible revenue from a previous period (baseline revenue).

There is **no minimum revenue drop** required to qualify for the subsidy. The rate your revenue has dropped is only used to calculate how much subsidy you receive for these periods.

Calculate your revenue drop online

After you have read about the expenses you can claim, you can use the [online calculator](#) to find your revenue drop while calculating how much subsidy you may receive.



Read about the calculation

You can read the in-depth details of [how the revenue drop is calculated](#).

▶ Check what counts as eligible revenue

A CERS application must be filed no later than 180 days after the end of a claim period.

4 Have eligible expenses

To apply for CERS, you must have a qualifying property. Only certain expenses you pay for qualifying properties are eligible for CERS.

[Learn about qualifying properties and which expenses you can claim](#)

Periods you can apply for →

Did you find what you were looking for?

What was wrong?

- The answer I need is missing
- The information isn't clear
- I'm not in the right place
- Something is broken or incorrect
- Other reason

Please provide more details

(Don't include any personal information. Note that you will not receive a reply.)

Maximum 300 characters

Date modified:

2020-11-23

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

Proceeding commenced at Toronto

**AFFIDAVIT OF ANTONIO CONFORTI
(sworn December 8, 2020)**

MILLER THOMSON LLP

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Lawyers for Conforti Holdings Limited

TAB 3

SERVICE

1. **THIS COURT ORDERS** that the time for service of the notice of motion and the motion record (including service of the Second Report) be and is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

APPROVAL OF SECOND REPORT

2. **THIS COURT ORDERS** that the Second Report, together with the conduct and activities of the Proposal Trustee as set out therein, be and are hereby approved.

EXTENSION OF TIME TO MAKE A PROPOSAL

3. **THIS COURT ORDERS** that the time to make a proposal is delayed and extended to January 28, 2021.

OTHER

4. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. Toronto time on the date of this Order, and this Order is enforceable without the need for entry and filing.

5. **THIS COURT REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Proposal Trustee and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Proposal Trustee, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Proposal Trustee and its agents in carrying out the terms of this Order.

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

**ORDER
(Stay Extension)**

MILLER THOMSON LLP

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IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED

Court File Nos.: Division No. 09-Toronto
Court No. 31-2675583 and Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

**MOTION RECORD
(RETURNABLE DECEMBER 14, 2020)**

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