



Crowe Soberman Inc.

Crowe Soberman Inc.  
Licensed Insolvency Trustee  
Member Crowe Global

2 St. Clair Avenue East, Suite 1100  
Toronto, ON M4T 2T5  
1 877 929 2501 Toll Free  
416 929 2555 Fax  
www.crowesobermaninc.com

June 27, 2024

**TO THE CREDITORS OF NOIR REAL ESTATE INC.**

Please be advised that NOIR REAL ESTATE INC. filed a **Notice of Intention to Make a Proposal** on June 20, 2024 under the **Bankruptcy and Insolvency Act**. A copy of this Notice is enclosed herewith.

This is a procedure whereby a debtor, with creditor and Court approval, reorganizes its financial affairs. Our role as Trustee in this matter is to assist the debtor with the development of the Proposal, to liaise with creditors so as to fully explain the Proposal to them and to support and facilitate the decision-making process which creditors will ultimately undertake, ending with their acceptance or rejection of the Proposal.

All liabilities, actual and contingent, of NOIR REAL ESTATE INC. as at June 20, 2024 are subject to the Proposal mentioned above and are fixed by Section 62(1.1) of the **Bankruptcy and Insolvency Act** as at that date.

All creditors are **STAYED** from commencing or continuing any actions as against NOIR REAL ESTATE INC. until the Proposal is dealt with by the creditors.

NOIR REAL ESTATE INC. has thirty (30) days from the date of filing the **Notice of Intention to Make a Proposal** (subject to Court approved extensions of this time period) to lodge a Proposal with us so that we may file it with the Official Receiver.

We will be calling a meeting of creditors to consider the Proposal within twenty-one (21) days of the date on which the Proposal is filed. You will receive Notice of the meeting along with all other necessary documents including the proof of claim form, voting letter, at least ten days in advance of the meeting.

Please feel free to contact our office if you require any further information with respect to this matter.

**CROWE SOBERMAN INC.**  
Trustee acting in re: the Proposal  
of NOIR REAL ESTATE INC.

Per:           Xue            
Hans Rizarri, LIT, CIRP

Digitally signed by Fei (Fay) Xue  
DN: cn=Fei (Fay) Xue, c=CA,  
o=Crowe Soberman Inc.,  
email=fei.xue@crowesoberman.com  
Location: Toronto, ONT,  
Date: 2024.06.27 10:07:15 -04'00'



Industry Canada  
Office of the Superintendent  
of Bankruptcy Canada

Industrie Canada  
Bureau du surintendant  
des faillites Canada

District of Ontario  
Division No. 09 - Toronto  
Court No. 31-3095587  
Estate No. 31-3095587

In the Matter of the Notice of Intention to make a proposal of:

**NOIR REAL ESTATE INC.**

Insolvent Person

**CROWE SOBERMAN INC.**

Licensed Insolvency Trustee

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Date of the Notice of Intention:

June 20, 2024

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CERTIFICATE OF FILING OF A NOTICE OF INTENTION TO MAKE A PROPOSAL  
Subsection 50.4 (1)

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that the aforementioned insolvent person filed a Notice of Intention to Make a Proposal under subsection 50.4 (1) of the Bankruptcy and Insolvency Act;

Pursuant to subsection 69. (1) of the Act, all proceedings against the aforementioned insolvent person are stayed as of the date of filing of the Notice of Intention.

E-File/Dépôt Electronique

Date: June 21, 2024, 10:57

Official Receiver

151 Yonge Street, 4th Floor, Toronto, Ontario, Canada, M5C2W7, (877)376-9902

**Canada**

District of: Ontario  
Division No. 09 - Toronto  
Court No.  
Estate No.

- FORM 33 -  
Notice of Intention To Make a Proposal  
(Subsection 50.4(1) of the Act)

In the Matter of the Proposal of  
NOIR REAL ESTATE INC.  
of the Town of Claremont, in the Regional Municipality of Durham  
in the Province of Ontario

Take notice that:

1. I, NOIR REAL ESTATE INC., an insolvent person, state, pursuant to subsection 50.4(1) of the Act, that I intend to make a proposal to my creditors.
2. Crowe Soberman Inc., LIT of 2 St. Clair Ave East, Suite 1100, Toronto, ON, M4T 2T5, a licensed trustee, has consented to act as trustee under the proposal. A copy of the consent is attached.
3. A list of the names of the known creditors with claims of \$250 or more and the amounts of their claims is also attached.
4. Pursuant to section 69 of the Act, all proceedings against me are stayed as of the date of filing of this notice with the official receiver in my locality.

Dated at the City of Toronto in the Province of Ontario, this 13th day of June 2024.



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NOIR REAL ESTATE INC.  
Insolvent Company

To be completed by Official Receiver:

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Filing Date


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Official Receiver

District of: Ontario  
 Division No. 09 - Toronto  
 Court No.  
 Estate No.

- FORM 33 -  
 Notice of Intention To Make a Proposal  
 (Subsection 50.4(1) of the Act)

In the Matter of the Proposal of  
 NOIR REAL ESTATE INC.  
 of the Town of Claremont, in the Regional Municipality of Durham  
 in the Province of Ontario

List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
Chew, Michelle	5010 Barber St. Claremont ON L1Y 1B4		120,000.00
Gooding, Chiwale	768 Danforth Rd Scarborough ON M1K 1G7		120,000.00
Lu, Wei-Yuan	5-20 Mural St Richmond Hill ON L4B 1K3		120,000.00
Owemanco Mortgage Holding Corporation c/o Mand Rai LLP Paul Mand	400-155 Rexdale Blvd Toronto ON M9W 5Z8	M24-11903	382,034.39
Township of King Jeff Schmidt	2075 King Road King City ON L7B 1A1	 000-115-64003-0000	6,050.64
Yu, Thomas	5010 Barber St. Claremont ON L1Y 1B4		120,000.00
<b>Total</b>			868,085.03

  
 NOIR REAL ESTATE INC.  
 Insolvent Company

District: ON  
Division No: 09  
Court No: 31-3095587  
Estate No: 31-3095587

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
IN BANKRUPTCY AND INSOLVENCY**

**NOTICE OF STAY OF PROCEEDINGS**

**NOTICE OF INTENTION TO MAKE A PROPOSAL**

Court File No:

**In the Matter of the Proposal of  
NOIR REAL ESTATE INC.  
of the Town of Claremont, in the Regional Municipality of Durham  
in the Province of Ontario**

**TAKE NOTICE THAT NOIR REAL ESTATE INC.** has filed a "*Notice of Intention to make a Proposal*" with the Official Receiver on June 20, 2024, a copy of which is attached.

And further take Notice that under Section 69.1(a) of the *Bankruptcy and Insolvency Act (Canada)*:

*"No creditor has any remedy against the insolvent person or the insolvent person's property, or shall commence or continue any action, execution or other proceedings for the recovery of a claim provable in Bankruptcy"....*

And that under Section 69.1(b):

*No provision of a security agreement between the insolvent person and a secured creditor that provides, in substance, that on*

- i) the insolvent person's insolvency,*
- ii) the default by the insolvent person of an obligation under the security agreement, or*
- iii) the filing by the insolvent person of a notice of intention under Section 50.4*

*"the insolvent person ceases to have such rights to use or deal with assets secured under the agreement as the Debtor would otherwise have, has any force or effect"...*

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
IN BANKRUPTCY AND INSOLVENCY**

**NOTICE OF STAY OF PROCEEDINGS**

**NOTICE OF INTENTION TO MAKE A PROPOSAL**

Court File No:

Dated at the City of Toronto, in the Province of Ontario, the 27th day of June, 2024

CROWE SOBERMAN INC.  
Licensed Insolvency Trustee

Acting re: Proposal

NOIR REAL ESTATE INC.,

A Debtor

Fei (Fay)

For: \_\_\_\_\_

Xue

Digitally signed by Fei (Fay) Xue  
DN: cn=Fei (Fay) Xue, c=CA,  
o=Crowe Soberman Inc.,  
email=fei.xue@crowesoberman.com  
Location: Toronto, ONT,  
Date: 2024.06.27 10:07:31 -0400

Hans Rizarri, LIT, CIRP

This Stay of Proceedings will be in effect until the Proposal is dealt with by the creditors, or the insolvent person becomes bankrupt.

Court File No:

ONTARIO  
SUPERIOR COURT OF JUSTICE  
IN BANKRUPTCY AND INSOLVENCY

In the Matter of the Proposal of  
NOIR REAL ESTATE INC.  
of the Town of Claremont, in the Regional  
Municipality of Durham  
in the Province of Ontario

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NOTICE OF  
STAY OF PROCEEDINGS

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**CROWE SOBERMAN INC.**  
**Licensed Insolvency Trustee**  
2 St. Clair Ave. E., Suite 1100  
Toronto, Ontario, M4T 2T5

Telephone: (416) 929-2500

Fax: (416) 929-2555

Toll Free: 1-877-929-2501

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**- Creditor Mailing List -**

In the Matter of the Proposal of  
NOIR REAL ESTATE INC.  
of the Town of Claremont, in the Regional Municipality of Durham  
in the Province of Ontario

Creditor Type	Name	Attention	Address
Director	Cora Yuk Moon Chan		5010 Barber St. Pickering ON L1Y 1B4 coraym.chan@gmail.com
Contingent	Bui, Lyla Cu-Tu-Anh, c/o Kamalie Law PC	Shayan Kamalie	CV-24-00000666-0000 Suite 407-Hullmark Corporate Centre Toronto ON M2N 0G3 skamalie@kamalielaw.ca
	Gray Miles & Asante Investment Holding Inc.	Marc Kestenber	CV-00702920-0000 c/o Kestenber Litigation LLP 1600-2300 Yonge St Toronto ON M4P 1E4 marc@kestenberglitigation.com
Secured	MNP LTD		CV-23-00706356-000 Suite 1900, 1 Adelaide St, East Toronto ON M5C 2V9 Fax: (416) 323-5240
	Owemanco Mortgage Holding Corporation c/o Mand Rai LLP	Paul Mand	M24-11903 400-155 Rexdale Blvd Toronto ON M9W 5Z8 Fax: (416) 740-3480 pmand@mandlaw.com
	Township of King	Jeff Schmidt	000-115-64003-0000 2075 King Road King City ON L7B 1A1 Fax: (905) 833-2300 jschmidt@king.ca
Unsecured	Chew, Michelle		5010 Barber St. Claremont ON L1Y 1B4 chew.michelle@gmail.com
	CRA - Tax - Ontario		Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9 Fax: (833) 697-2390
	Gooding, Chiwale		768 Danforth Rd Scarborough ON M1K 1G7
	Lu, Wei-Yuan		5-20 Mural St Richmond Hill ON L4B 1K3 edward@noirdesignco.com
	Noir Design & Consultant		Permit Application, Mort payment Unit 5-20 Mural St Richmond Hill ON L4B 1K3 edward@noirdesignco.com
	Yu, Thomas		5010 Barber St. Claremont ON L1Y 1B4 Tom@metropolishotel.ca

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