



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 PROPERTY MANAGEMENT (DURHAM) LTD.**

Please be advised that NOIR PROPERTY MANAGEMENT (DURHAM) LTD. 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 PROPERTY MANAGEMENT (DURHAM) LTD. 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 PROPERTY MANAGEMENT (DURHAM) LTD. until the Proposal is dealt with by the creditors.

NOIR PROPERTY MANAGEMENT (DURHAM) LTD. 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 PROPERTY MANAGEMENT (DURHAM) LTD.**

For: **Fei (Fay) 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 09:22:41 -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. 31-3095585  
Estate No. 31-3095585

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

**NOIR PROPERTY MANAGEMENT (DURHAM) LTD.**

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.

Date: June 21, 2024, 10:42

E-File/Dépôt Electronique

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 PROPERTY MANAGEMENT (DURHAM)  
of the Town of Claremont, in the Regional Municipality of Durham  
in the Province of Ontario

Take notice that:

1. I, NOIR PROPERTY MANAGEMENT (DURHAM) LTD., 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 17th day of June 2024.



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NOIR PROPERTY MANAGEMENT (DURHAM) LTD.  
Insolvent Person

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 PROPERTY MANAGEMENT (DURHAM)  
 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
Cora Boutique Design Inc o/a Noir Design	5010 Barber Street Pickering ON L1Y 1B4	4956 old Brock 8985 Baldwin 662	1,200,000.00
Libertas Financial Management Inc.	406 North Service Rd, E, Suite 310 Oakville ON L6H 1M5	4956 Old Brock Road, Pickering	800,000.00
Libertas Financial Management Inc.	310-406 North Service Rd E Oakville ON L6H 1M5	865 Baldwin St.	380,000.00
Oshawa Power (formerly Oshawa PUC Networks Inc.) Suzanne Neal	100 Simcoe St S Oshawa ON L1H 7M7	00000223-02	644.81
<b>Total</b>			2,380,644.81




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NOIR PROPERTY MANAGEMENT (DURHAM) LTD.  
 Insolvent Person

District: ON  
Division No: 09  
Court No: 31-3095585  
Estate No: 31-3095585

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

**NOTICE OF STAY OF PROCEEDINGS**

**NOTICE OF INTENTION TO MAKE A PROPOSAL**

**In the Matter of the Proposal of  
NOIR PROPERTY MANAGEMENT (DURHAM)  
of the Town of Claremont, in the Regional Municipality of Durham  
in the Province of Ontario**

**TAKE NOTICE THAT NOIR PROPERTY MANAGEMENT (DURHAM) LTD.** 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**

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 of  
NOIR PROPERTY MANAGEMENT (DURHAM) LTD.,

**Fei (Fay)  
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 09:22:59 -04'00'

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

A debtor  
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 PROPERTY MANAGEMENT (DURHAM)  
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

**- Creditor Mailing List -**

In the Matter of the Proposal of  
NOIR PROPERTY MANAGEMENT (DURHAM)  
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 Pickering ON L1Y 1B4 coraym.chan@gmail.com
Contingent	Bui, Lyla Cu-Tu-Anh	Shayan Kamalie	CV-24-00000666-0000 c/o Kamalie Law PC, 407-Hullmark Corporate Centre Toronto ON M2N 0G3 Phone: (416) 806-1401 skamalie@kamalielaw.ca
	Gray Miles & Asante Investment Holding Inc	Marc Kenstenberg	CV-23-00702920-0000 c/o Kestenberg Litigation LLP 1600-2300 Yonge St Toronto ON M4P 1E4 Phone: (416) 549-8077 marc@kestenberglitigation.com
	Grewal, Pardeep c/o Chopra Law Professional Corporation	Jatin Chopra	CV-23-00000873-0000 6B-1325 Derry Rd., E Mississauga ON L5T 1B6 Phone: (905) 564-2499 Fax: (905) 564-2899
Secured	Libertas Financial Management Inc.		4956 Old Brock Road, Pickering 406 North Service Rd, E, Suite 310 Oakville ON L6H 1M5 Phone: (647) 296-7806
	MNP LTD	Glen Walker	CV-23-00706356-000 Suite, 1900, 1 Adelaide St, East Toronto ON M5C 2V9 Phone: (416) 515-3921 Fax: (416) 323-5240
Unsecured	Cora Boutique Design Inc o/a Noir Design		4956 old Brock 8985 Baldwin 662 5010 Barber Street Pickering ON L1Y 1B4
	CRA - Tax - Ontario		Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9 Phone: (866) 248-1576 Fax: (833) 697-2390
	Libertas Financial Management Inc.		865 Baldwin St. 310-406 North Service Rd E Oakville ON L6H 1M5 Phone: (647) 296-7806
	Oshawa Power (formerly Oshawa PUC Networks Inc.)	Suzanne Neal	00000223-02 100 Simcoe St S Oshawa ON L1H 7M7 Phone: (905) 723-4626 - 5280 Fax: (905) 743-5222