

February 14, 2024



Toll Free 310-DEBT

**TO ALL CREDITORS:**

Dear Sir/Madam:

**RE: IN THE MATTER OF THE BANKRUPTCY OF YORKTON PLUMBING & HEATING LTD.  
Estate # 22-3041731**

Please find enclosed a copy of the Creditor's Package in the matter of the Bankruptcy of Yorkton Plumbing & Heating Ltd.

The First Meeting of Creditors will take place on February 27<sup>th</sup>, 2024 at 11:00am CST and will be held via teleconference. Please contact MNP Ltd. at (306) 664-8334 to obtain the dial in information for the meeting.

The First Meeting of Creditors is a formality in the Bankruptcy process and its purpose is to affirm the Trustee's appointment, appoint inspectors to the Bankrupt Estate and to provide the Trustee with directions in carrying out the administration of the estate. To be eligible to vote at the meeting of creditors, creditors must have completed and submitted a properly executed proof of claim prior to the start of the meeting. You may send your proof of claim by mail or email to [NorthSask.insolvency@mnp.ca](mailto:NorthSask.insolvency@mnp.ca).

**Please note that creditors are not obligated to attend the meeting and that a creditor's non-attendance does not impede its ability to file a proof of claim and participate in the distribution of any dividends that may become available upon completion of the administration.**

Should you require further information, including assistance with completing a proof of claim, please contact Crystal Seed at 306-664-8334.

Yours truly,

**MNP Ltd.**

In its capacity as Trustee of the Bankruptcy of  
**Yorkton Plumbing & Heating Ltd.**  
And not in its personal capacity

Per: Chelene Riendeau CIRP, LIT

MNP LTD

Suite 800, 119 – 4th Avenue S, Saskatoon SK, S7K 5X2

310.DEBT(3328) T: 306.664.8334 F: 306.242.7844

District of: Saskatchewan  
Division No. 02 - Saskatoon  
Court No. BKY-RG-00017-2024  
Estate No. 22-3041731

\_FORM 68\_  
Notice of Bankruptcy, First Meeting of Creditors  
(Subsection 102(1) of the Act)

Original  Amended

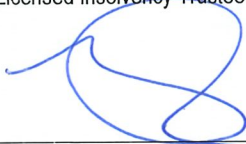
In the Matter of the Bankruptcy of  
Yorkton Plumbing & Heating Ltd.  
of the City of Yorkton  
in the Province of Saskatchewan

Take notice that:

1. Yorkton Plumbing & Heating Ltd. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against Yorkton Plumbing & Heating Ltd.) on the 6th day of February 2024 and the undersigned, MNP Ltd., was appointed as trustee of the estate of the bankrupt by the official receiver (or the Court); subject to affirmation by the creditors of the trustee's appointment or substitution of another trustee by the creditors.
2. The first meeting of creditors of the bankrupt will be held on the 27th day of February 2024 at 11:00 AM at 800-119 4th Ave S, Saskatoon, SK.
3. To be entitled to vote at the meeting, a creditor must file with the trustee, before the meeting, a proof of claim and, where necessary, a proxy.
4. Enclosed with this notice are a proof of claim form, proxy form and list of creditors with claims amounting to \$25 or more showing the amounts of their claims.
5. Creditors must prove their claims against the estate of the bankrupt to share in any distribution of the proceeds realized from the estate.

Dated at the City of Saskatoon in the Province of Saskatchewan, this 14th day of February 2024.

MNP Ltd. - Licensed Insolvency Trustee  
Per:



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Chelene Riendeau - Licensed Insolvency Trustee  
800 - 119 4th Ave. South  
Saskatoon SK S7K 5X2  
Phone: (306) 664-8334 Fax: (306) 242-7844



COURT FILE NUMBER BKY-RG-00017-2024

COURT OF KING'S BENCH FOR SASKATCHEWAN IN BANKRUPTCY AND INSOLVENCY

JUDICIAL CENTRE REGINA

APPLICANT CREDITOR CORNERSTONE CREDIT UNION

RESPONDENT YORKTON PLUMBING & HEATING LTD.

IN THE MATTER OF THE BANKRUPTCY OF YORKTON PLUMBING & HEATING LTD.

**BANKRUPTCY ORDER**

Before the Honourable Justice K.D. Kilback in Chambers the 6<sup>th</sup> day of February, 2024.

Upon the Application of Kurt Wintermute, K.C., and Nicholas Horlick, lawyers on behalf of Cornerstone Credit Union ("**Cornerstone**"); and upon reviewing the Application for a Bankruptcy Order dated January 12, 2024, the Affidavit of Michael Foley sworn on December 13, 2023, the Notice of Hearing dated January 12, 2024, and the Consent of MNP Ltd to act as Trustee, all filed; and upon hearing from Nicholas Horlick, on behalf of Cornerstone, and counsel present on behalf of any other interested parties; and it appearing to the Court that the following acts of bankruptcy have been committed by the Respondent, Yorkton Plumbing & Heating Ltd. (the "**Debtor**"), namely:

- a. The Debtor has, within the six months next preceding the date of the filing of this Application for a Bankruptcy Order, committed an act of bankruptcy pursuant to paragraph 42(1)(j) of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 (the "**BIA**"), by ceasing to meet its liabilities generally as they become due, including but not limited to:
  - i. the Debtor has defaulted on its obligation to repay its indebtedness to Cornerstone in its entirety, totalling \$287,418.45 as at September 8, 2023 (the "**Indebtedness**") which Indebtedness is presently due and payable by the Debtor to Cornerstone;
  - ii. the Debtor has failed to pay amounts owing by it to the Canada Revenue Agency ("**CRA**") for unremitted employee payroll source deductions. As at May 31, 2023, the Debtor owed the sum of \$1,651,314.43 in regard to unremitted payroll source deductions;
  - iii. the Debtor has failed to pay amounts owing by it to CRA for unremitted GST. As at May 31, 2023, the Debtor owed the sum of \$1,113,221.99 in regard to unremitted GST; and
  - iv. the Debtor has failed to pay amounts owing to CRA in regard to unremitted GST or payroll deductions on at least one other occasion in the past. On December 14, 2018, Cornerstone complied with the terms of a Requirement to Pay ("**RTP**") issued by CRA on October 26, 2018 and issued payment to CRA in the amount of \$56,126.44, in satisfaction of amounts owing by the Debtor to CRA for unremitted GST deductions.

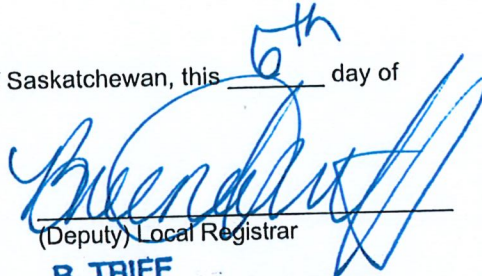
The Court orders:

1. Yorkton Plumbing & Heating Ltd. shall be and is hereby adjudged bankrupt and a bankruptcy order is hereby made against Yorkton Plumbing & Heating Ltd.



2. MNP Ltd. shall be and is hereby appointed as trustee of the estate of the bankrupt, Yorkton Plumbing & Heating Ltd.
3. The costs of the Applicant Creditor shall be paid out of the estate of the bankrupt upon taxation thereof.

ISSUED at the City of Saskatoon, in the Province of Saskatchewan, this 6<sup>th</sup> day of February, 2024.

  
(Deputy) Local Registrar  
**B. TRIFF**  
**DY. LOCAL REGISTRAR**

**CONTACT INFORMATION AND ADDRESS FOR SERVICE**

Name of firm:	MLT Aikins LLP
Name of lawyer in charge of file:	Kurt Wintermute, K.C. / Nicholas Horlick
Address of legal firms:	1201 - 409 3rd Avenue S, Saskatoon SK S7K 5R5
Telephone number:	(306) 975-7121
Fax number:	(306) 975-7145
E-mail address:	<a href="mailto:kwintermute@mltaikins.com">kwintermute@mltaikins.com</a> / <a href="mailto:nhorlick@mltaikins.com">nhorlick@mltaikins.com</a>
File No:	51142.17

District of: Saskatchewan  
 Division No. 02 - Saskatoon  
 Court No. BKY-RG-00017-2024  
 Estate No.

Original  Amended

-- Form 78 --  
 Statement of Affairs (Business Bankruptcy) made by an entity  
 (Subsection 49(2) and Paragraph 158(d) of the Act / Subsections 50(2) and 62(1) of the Act)

In the Matter of the Bankruptcy of  
 Yorkton Plumbing & Heating Ltd.  
 of the City of Yorkton  
 in the Province of Saskatchewan

To the bankrupt:


You are required to carefully and accurately complete this form and the applicable attachments showing the state of your affairs on the date of the bankruptcy, on the 6th day of February 2024. When completed, this form and the applicable attachments will constitute the Statement of Affairs and must be verified by oath or solemn declaration.

LIABILITIES (as stated and estimated by the officer)	ASSETS (as stated and estimated by the officer)
1. Unsecured creditors as per list "A" . . . . . 3,051,953.45	1. Inventory . . . . . 0.00
Balance of secured claims as per list "B" . . . . . 0.00	2. Trade fixtures, etc. . . . . 0.00
Total unsecured creditors . . . . . 3,051,953.45	3. Accounts receivable and other receivables, as per list "E"
2. Secured creditors as per list "B" . . . . . 0.00	Good . . . . . 0.00
3. Preferred creditors as per list "C" . . . . . 0.00	Doubtful . . . . . 0.00
4. Contingent, trust claims or other liabilities as per list "D"	Bad . . . . . 0.00
estimated to be reclaimable for . . . . . 0.00	Estimated to produce . . . . . 0.00
Total liabilities. . . . . 3,051,953.45	4. Bills of exchange, promissory note, etc., as per list "F" . . . . . 0.00
Surplus . . . . . NIL	5. Deposits in financial institutions . . . . . 0.00
	6. Cash . . . . . 0.00
	7. Livestock. . . . . 0.00
	8. Machinery, equipment and plant. . . . . 0.00
	9. Real property or immovable as per list "G" . . . . . 0.00
	10. Furniture . . . . . 0.00
	11. RRSPs, RRIFs, life insurance, etc. . . . . 0.00
	12. Securities (shares, bonds, debentures, etc.) . . . . . 0.00
	13. Interests under wills . . . . . 0.00
	14. Vehicles . . . . . 0.00
	15. Other property, as per list "H" . . . . . 0.00
	If bankrupt is a corporation, add:
	Amount of subscribed capital . . . . . 0.00
	Amount paid on capital . . . . . 0.00
	Balance subscribed and unpaid. . . . . 0.00
	Estimated to produce . . . . . 0.00
	Total assets . . . . . 0.00
	Deficiency . . . . . 3,051,953.45

I, Justin Yawney, of the City of Yorkton in the Province of Saskatchewan, do swear (or solemnly declare) that this statement and the attached lists are to the best of my knowledge, a full, true and complete statement of the affairs of the Corporation on the 9th day of February 2024 and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with the Act.

SWORN (or SOLEMNLY DECLARED)  
 before me at the City of Saskatoon in the Province of Saskatchewan, on this 9th day of February 2024.

Chelene Riendeau, Commissioner of Oaths  
 For the Province of Saskatchewan  
 Expires November 30, 2024

  
 Justin Yawney  
 Lic. Ins. Trustee

District of: Saskatchewan  
Division No. 02 - Saskatoon  
Court No. BKY-RG-00017-2024  
Estate No.

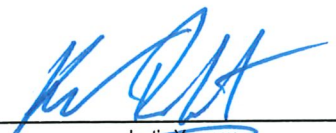
FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Yorkton Plumbing & Heating Ltd.  
of the City of Yorkton  
in the Province of Saskatchewan  
List "A"  
Unsecured Creditors  
Yorkton Plumbing & Heating Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Cornerstone CU c/o MLT Aikins LLP Attn: General Reception 51142.17	1201 - 409 3rd Ave S Saskatoon SK S7K 5R5	287,418.45	0.00	287,418.45
2	CRA - Tax - Prairies GST	Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	1,113,221.00	0.00	1,113,221.00
3	CRA - Tax - Prairies Source deductions	Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	1,651,314.00	0.00	1,651,314.00
<b>Total:</b>			<b>3,051,953.45</b>	<b>0.00</b>	<b>3,051,953.45</b>

06-Feb-2024

Date

  
Justin Yawney  
L. F. T.

District of: Saskatchewan  
Division No. 02 - Saskatoon  
Court No. BKY-RG-00017-2024  
Estate No.

FORM 78 -- Continued


In the Matter of the Bankruptcy of  
Yorkton Plumbing & Heating Ltd.  
of the City of Yorkton  
in the Province of Saskatchewan  
List "B"  
Secured Creditors

Yorkton Plumbing & Heating Ltd.

No.	Name of creditor	Address	Amount of claim	Particulars of security	When given	Estimated value of security	Estimated surplus from security	Balance of claim
			Total:			0.00	0.00	0.00

06-Feb-2024

Date

  
Justin Yawney  
L.F.T.

District of: Saskatchewan  
Division No. 02 - Saskatoon  
Court No. BKY-RG-00017-2024  
Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Yorkton Plumbing & Heating Ltd.  
of the City of Yorkton  
in the Province of Saskatchewan  
List "C"  
Preferred Creditors for Wages, Rent, etc.

Yorkton Plumbing & Heating Ltd.

No.	Name of creditor	Address and occupation	Nature of claim	Period during which claim accrued	Amount of claim	Amount payable in full	Difference ranking for dividend
Total:					0.00	0.00	0.00

06-Feb-2024

Date



Justin Yawney

L.F.T.



District of: Saskatchewan  
Division No. 02 - Saskatoon  
Court No. BKY-RG-00017-2024  
Estate No.

FORM 78 -- Continued


In the Matter of the Bankruptcy of  
Yorkton Plumbing & Heating Ltd.  
of the City of Yorkton  
in the Province of Saskatchewan  
List "D"  
Contingent or Other Liabilities

Yorkton Plumbing & Heating Ltd.

No.	Name of creditor or claimant	Address and occupation	Amount of liability or claim	Amount expected to rank for dividend	Date when liability incurred	Nature of liability
Total:			0.00	0.00		

06-Feb-2024

Date

  
Justin Yawney  
L.F.T.

District of: Saskatchewan  
Division No. 02 - Saskatoon  
Court No. BKY-RG-00017-2024  
Estate No.



FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Yorkton Plumbing & Heating Ltd.  
of the City of Yorkton  
in the Province of Saskatchewan  
List "E"  
Debts Due to the Bankrupt  
Yorkton Plumbing & Heating Ltd.

No.	Name of debtor	Address and occupation	Nature of debt	Amount of debt (good, doubtful, bad)	Folio of ledgers or other book where particulars to be found	When contracted	Estimated to produce	Particulars of any securities held for debt
				0.00				
			Total:	0.00			0.00	
				0.00				

06-Feb-2024

Date

  
Justin Yawney  


District of: Saskatchewan  
Division No. 02 - Saskatoon  
Court No. BKY-RG-00017-2024  
Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Yorkton Plumbing & Heating Ltd.  
of the City of Yorkton  
in the Province of Saskatchewan  
List "F"


Bills of Exchange, Promissory Notes, Lien Notes, Chattel  
Mortgages, etc., Available as Assets

Yorkton Plumbing & Heating Ltd.

No.	Name of all promissory, acceptors, endorsers, mortgagors, and guarantors	Address	Occupation	Amount of bill or note, etc.	Date when due	Estimated to produce	Particulars of any property held as security for payment of bill or note, etc.
Total:				0.00		0.00	

06-Feb-2024

Date

  
Justin Yawney  
L.I.T.

District of: Saskatchewan  
Division No. 02 - Saskatoon  
Court No. BKY-RG-00017-2024  
Estate No.


FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Yorkton Plumbing & Heating Ltd.  
of the City of Yorkton  
in the Province of Saskatchewan  
List "G"  
Real Property or Immovables Owned by Bankrupt  
Yorkton Plumbing & Heating Ltd.

Description of property	Nature of bankrupt interest	In whose name does title stand	Total value	Particulars of mortgages, hypothecs, or other encumbrances (name, address, amount)	Equity or surplus
Total:			0.00		0.00

06-Feb-2024

Date

  
Justin Yawney  
L.I.T.



District of: Saskatchewan  
 Division No. 02 - Saskatoon  
 Court No. BKY-RG-00017-2024  
 Estate No.

FORM 78 -- Concluded


In the Matter of the Bankruptcy of  
 Yorkton Plumbing & Heating Ltd.  
 of the City of Yorkton  
 in the Province of Saskatchewan  
 List "H"  
 Property

Yorkton Plumbing & Heating Ltd.  
 FULL STATEMENT OF PROPERTY

Nature of property	Location	Details of property	Original cost	Estimated to produce
(a) Stock-in-trade			0.00	0.00
(b) Trade fixtures, etc.			0.00	0.00
(c) Cash in financial institutions			0.00	0.00
(d) Cash on hand			0.00	0.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant			0.00	0.00
(g) Furniture			0.00	0.00
(h) Life insurance policies, RRSPs, etc.			0.00	0.00
(i) Securities			0.00	0.00
(j) Interests under wills, etc.			0.00	0.00
(k) Vehicles			0.00	0.00
(l) Taxes			0.00	0.00
(m) Other			0.00	0.00
			<b>Total:</b>	<b>0.00</b>

06-Feb-2024

Date

  
 Justin Yawney  
 L.I.T.

District of: Saskatchewan  
Division No. 02 - Saskatoon  
Court No. BKY-RG-00017-2024  
Estate No. 22-3041731

FORM 31 / 36  
Proof of Claim / Proxy  
In the Matter of the Bankruptcy of  
Yorkton Plumbing & Heating Ltd.  
of the City of Yorkton  
in the Province of Saskatchewan

All notices or correspondence regarding this claim must be forwarded to the following address:

\_\_\_\_\_  
\_\_\_\_\_

In the matter of the bankruptcy of Yorkton Plumbing & Heating Ltd. of the City of Yorkton in the Province of Saskatchewan and the claim of \_\_\_\_\_, creditor.

I, \_\_\_\_\_, of the city of \_\_\_\_\_, a creditor in the above matter, hereby appoint \_\_\_\_\_, of \_\_\_\_\_, to be my proxyholder in the above matter, except as to the receipt of dividends, \_\_\_\_\_ (with or without) power to appoint another proxyholder in his or her place.

I, \_\_\_\_\_ (name of creditor or representative of the creditor), of the city of \_\_\_\_\_ in the province of \_\_\_\_\_ do hereby certify:

1. That I am a creditor of the above named debtor (or I am \_\_\_\_\_ (position/title) of \_\_\_\_\_, creditor).

2. That I have knowledge of all the circumstances connected with the claim referred to below.

3. That the debtor was, at the date of bankruptcy, namely the 6th day of February 2024, and still is, indebted to the creditor in the sum of \$ \_\_\_\_\_, as specified in the statement of account (or affidavit or solemn declaration) attached and marked Schedule "A", after deducting any counterclaims to which the debtor is entitled. (The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim.)

4. (Check and complete appropriate category.)

A. UNSECURED CLAIM OF \$ \_\_\_\_\_

(other than as a customer contemplated by Section 262 of the Act)

That in respect of this debt, I do not hold any assets of the debtor as security and  
(Check appropriate description.)

Regarding the amount of \$ \_\_\_\_\_, I claim a right to a priority under section 136 of the Act.

Regarding the amount of \$ \_\_\_\_\_, I do not claim a right to a priority.  
(Set out on an attached sheet details to support priority claim.)

B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE \$ \_\_\_\_\_

That I hereby make a claim under subsection 65.2(4) of the Act, particulars of which are as follows:  
(Give full particulars of the claim, including the calculations upon which the claim is based.)

C. SECURED CLAIM OF \$ \_\_\_\_\_

That in respect of this debt, I hold assets of the debtor valued at \$ \_\_\_\_\_ as security, particulars of which are as follows:  
(Give full particulars of the security, including the date on which the security was given and the value at which you assess the security, and attach a copy of the security documents.)

D. CLAIM BY FARMER, FISHERMAN OR AQUACULTURIST OF \$ \_\_\_\_\_

That I hereby make a claim under subsection 81.2(1) of the Act for the unpaid amount of \$ \_\_\_\_\_  
(Attach a copy of sales agreement and delivery receipts.)

E. CLAIM BY WAGE EARNER OF \$ \_\_\_\_\_

That I hereby make a claim under subsection 81.3(8) of the Act in the amount of \$ \_\_\_\_\_,

That I hereby make a claim under subsection 81.4(8) of the Act in the amount of \$ \_\_\_\_\_,

F. CLAIM BY EMPLOYEE FOR UNPAID AMOUNT REGARDING PENSION PLAN OF \$ \_\_\_\_\_

That I hereby make a claim under subsection 81.5 of the Act in the amount of \$ \_\_\_\_\_,

That I hereby make a claim under subsection 81.6 of the Act in the amount of \$ \_\_\_\_\_,

G. CLAIM AGAINST DIRECTOR \$ \_\_\_\_\_

*(To be completed when a proposal provides for the compromise of claims against directors.)*

That I hereby make a claim under subsection 50(13) of the Act, particulars of which are as follows:

*(Give full particulars of the claim, including the calculations upon which the claim is based.)*

H. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM \$ \_\_\_\_\_

That I hereby make a claim as a customer for net equity as contemplated by section 262 of the Act, particulars of which are as follows:

*(Give full particulars of the claim, including the calculations upon which the claim is based.)*

5. That, to the best of my knowledge, I \_\_\_\_\_ (am/am not) (or the above-named creditor \_\_\_\_\_ (is/is not)) related to the debtor within the meaning of section 4 of the Act, and \_\_\_\_\_ (have/has/have not/has not) dealt with the debtor in a non-arm's-length manner.

6. That the following are the payments that I have received from, and the credits that I have allowed to, and the transfers at undervalue within the meaning of subsection 2(1) of the Act that I have been privy to or a party to with the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Act or were not dealing with each other at arm's length, within the 12 months) immediately before the date of the initial bankruptcy event within the meaning of Section 2 of the Act: (Provide details of payments, credits and transfers at undervalue.)

7. *(Applicable only in the case of the bankruptcy of an individual.)*

Whenever the trustee reviews the financial situation of a bankrupt to redetermine whether or not the bankrupt is required to make payments under section 68 of the Act, I request to be informed, pursuant to paragraph 68(4) of the Act, of the new fixed amount or of the fact that there is no longer surplus income.

I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to subsection 170(1) of the Act be sent to the above address.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Individual Creditor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Name of Corporate Creditor

Per \_\_\_\_\_  
Name and Title of Signing Officer

Return To:

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

MNP Ltd. - Licensed Insolvency Trustee

800 - 119 4th Ave. South  
Saskatoon SK S7K 5X2  
Fax: (306) 242-7844  
E-mail: northsask.insolvency@mnpc.ca

NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.

WARNINGS: A trustee may, pursuant to subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.

Subsection 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.