



No. S-235026
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C.
1985, c. C-36

AND

IN THE MATTER OF THE CANADA BUSINESS CORPORATIONS ACT, R.S.C. 1985
c. C-44 and THE BUSINESS CORPORATIONS ACT, S.B.C. 2002, c. 57

AND

IN THE MATTER OF THE JOSEPH RICHARD HOSPITALTY GROUP LTD.
AND THOSE PARTIES LISTED ON SCHEDULE "A"

APPLICATION RESPONSE

Application response of: His Majesty the King in right of the Province of British Columbia (the "Province")

THIS IS A RESPONSE TO the notice of application filed April 26, 2024 (the "application") of the Joseph Richard Hospitality Group Ltd. and those other parties listed on Schedule "A" to the application (the "petitioners").

The Province estimates the application will take 1 hour.

This matter is not within the jurisdiction of an associate judge.

Part 1: ORDERS CONSENTED TO

The Province consents to the granting of the orders set out in the following paragraphs of Part of Schedule "B" to the application on the following terms:

None.

Part 2: ORDERS OPPOSED

The Province opposes the granting of the orders set out in the following paragraphs of Schedule "B" to the application:

2, unless the additional clauses in Part 3 are added.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

The Province takes no position on the granting of the orders set out in the following paragraphs of Schedule "B" to the application:

1, 3, 4.

The Province will take no position on the granting of order #2 in Schedule "B" if wording is added to the order requiring the Petitioners to:

- a. pay all overdue amounts owing under the *Provincial Sales Tax Act*, S.B.C. 2012, c. 35 ("*PST Act*") by May 27, 2024; and
- b. generally comply with their obligations under the *PST Act*.

Part 4: FACTUAL BASIS

1. The Petitioners owe post-filing debts to the Province under the *PST Act* (the "PST Debts").
2. As of April 24, 2024, the PST Debts owing by the Petitioners are as follows:
 - a. JRG Glass House Estates Winery Ltd.: \$5,468.04;
 - b. Townhall Holdings Ltd., Townhall Public House: \$15,992.01;
 - c. JRG Cloverdale Ventures Ltd., The Henry Public House: \$23,746.65;
 - d. Oak & Thorne Public House Ltd.: \$42,484.85;
 - e. JRG Queens LRS Ventures Ltd.: \$34,244.64;
 - f. Steveston Hospitality Services Ltd., The Buck & Ear: \$64,452.79;
 - g. S & L Kitchen & Bar Holdings Langley Ltd.: \$25,187.80;
 - h. JRG Clover Station LRS Ltd., Clover Station Liquor Store: \$31,862.84;
 - i. S & L Kitchen & Bar Holdings South Surrey Ltd.: \$8,870.63;
 - j. The Italian Osteria and Cheese Bar Ltd., Oak & Thorne Public House: \$14,604.91;
 - k. Townhall Holdings (Maple Ridge) Ltd., Townhall Public House: \$24,635.00;
 - l. JRG Ledgeview Holdings Ltd.: \$87,534.31;
 - m. Townhall Holdings (Chilliwack) Ltd.: \$10,969.32; and

n. S & L Kitchen & Bar Holdings Abbotsford Ltd., S+L Kitchen & Bar Abbotsford:
\$9,384.13.

3. As of April 24, 2024, the total PST Debts owing by the Petitioners is \$399,437.92.

Part 5: LEGAL BASIS

4. The Province adopts and relies on the argument made by His Majesty the King in right of Canada as represented by the Minister of National Revenue.

5. The Province seeks that terms be added to the order requiring the Petitioners to:

a. pay all overdue amounts owing under the *Provincial Sales Tax Act*, S.B.C. 2012, c. 35 ("*PST Act*") by May 27, 2024; and

b. generally comply with their obligations under the *PST Act*.

6. If this addition is made, the Province will take no position of the granting of the order.

Part 6: MATERIAL TO BE RELIED ON

1. Affidavit #1 of Joshua McCarthy made April 30, 2024; and

2. Such other materials as counsel may advise and this Court may permit.

Date: April 30, 2024



Andrea Glen
Counsel for the Province

The Province's address for service in this proceeding is:

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Name of the Province's lawyer: Aaron Welch/ Andrea Glen