



This is the 1<sup>st</sup> Affidavit of Doug Chivers  
in this case and was made on October 23, 2023

NO. S227651  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

FIRST NATIONAL FINANCIAL GP CORPORATION

PETITIONER

AND:

442746 B.C. LTD., WASTE CONNECTIONS OF CANADA INC.  
(formerly, BFI CANADA INC.), ALLIED PLUMBING, HEATING &  
AIR CONDITIONING LTD. dba ALLIED ALTERNATIVE ENERGY,  
HER MAJESTY THE QUEEN IN RIGHT OF BRITISH COLUMBIA,  
HARINDER DHILLON, KINGSWAY PAVING BC LTD., CITY OF  
VANCOUVER and KUMIKKER RANGI

RESPONDENTS

**AFFIDAVIT**

I, Doug Chivers, of 430-505 Burrard Street, Vancouver, B.C., in the City of Vancouver, in the Province of British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. I am a Senior Vice President of MNP Ltd., the Court-appointed receiver (the “**Receiver**”) of all of the assets, undertakings and property of 442746 B.C. Ltd. (the “**Debtor**”), including proceeds, and as such have personal knowledge of the facts and matters hereinafter deposed to, save and except where the same are stated to be made upon information and belief, and, as to such facts, I verily believe the same to be true.
2. The Receiver prepared a first and final Report to the Court (the “**Final Report**”) dated October 19, 2023, which I have read and of which I am the principal author. The facts set out in the Final Report are, to the best of my knowledge, true and accurate.
3. Based upon my review of the time recordings, I confirm that the work as described therein was undertaken and was, in my opinion, necessary in order for the Receiver to fulfill its duties and obligations under the Receivership Order.

4. The work undertaken by the Receiver's personnel was done under my direct supervision and where appropriate, the work was delegated. Further, each of the disbursements paid by the Receiver was necessarily incurred in order for the Receiver to fulfill its obligations and incurred in accordance with my instructions.
5. For the period of July 4, 2023, to September 15, 2023, the total of these accounts is as follows:

	<b>\$'s</b>
Fees	25,580
Disbursements	1,417
GST	1,361
<b>Total</b>	<b><u>28,358</u></b>

6. A summary and copies of the Receiver's invoices are attached as **Exhibit "A"**.
7. A summary of the time spent by members of all of the staff within MNP Ltd. for the period of July 4, 2023, to September 15, 2023, as represented by the Exhibit "A" invoices is as follows:


Name	Title	Hours	Average Hourly Rate (\$)
Douglas Chivers	Senior Vice President	18.80	675
Kevin Koo	Manager	16.65	390
Neil Jayamaha	Senior Consultant	14.50	325
Sofie Parker	Senior Analyst	2.35	250
Office Administration	Senior Administrative Assistant	3.20	225
Office Administration	Administrative Assistant	2.15	175
		<b><u>57.65</u></b>	<b><u>444 *</u></b>

*\*Average Hourly Rate*

8. The time and disbursements incurred by the Receiver in the course of its duties are fair and reasonable in a receivership of the nature described herein. In the Receiver's opinion, the cost of this receivership is comparable to receiver assignments of similar scale and complexity.
9. The hourly rates charged by the Receiver are consistent with the average hourly rates billed by the Receiver on its other engagements and, to the Receiver's knowledge, consistent with other insolvency firms of comparable size engaged on similar receivership matters.

10. The Receiver engaged Lawson Lundell LLP as its independent legal counsel. The total legal fees as at the date of the Final Report were \$5,118, inclusive of taxes and disbursements, as summarized in **Appendix “C”** of the Final Report. The Receiver has reviewed the invoices rendered to it by Lawson Lundell LLP and believes them to be fair, reasonable and justified in the circumstances. The Receiver believes that those invoices accurately reflect the work done at the request of and on behalf of the Receiver. The legal services provided were necessary for the Receiver to fulfill its obligations in the proceeding.
  
11. As set out in the Final Report, the Receiver estimates that its total fees to conclude the receivership will be not more than \$11,326 inclusive of taxes. Further, Lawson Lundell LLP anticipates further accounts for legal services of approximately \$6,482, inclusive of taxes, in respect of the subject application for approval of professional fees and disbursements.
  
12. This Affidavit is made in support of an application for an Order approving, among other things, the activities of the Receiver herein and discharging the Receiver.

SWORN BEFORE ME at the City of Vancouver, )  
 in the Province of British Columbia, this 23<sup>rd</sup> day )  
 of October, 2023 )

  
 \_\_\_\_\_ )  
 A Commissioner for taking Affidavits within )  
 British Columbia )

  
 \_\_\_\_\_ )  
 DOUG CHIVERS )

**SOFICA PARKER**  
*A Commissioner for Taking Affidavits*  
*Within the Province of British Columbia*  
 Suite 430 - 505 Burrard Street  
 Vancouver, B.C. V7X 1M3  
 Appointment Expires: May 31, 2024

This to Exhibit "A" referred to in the  
Affidavit of DOUG CHIVERS  
sworn (or affirmed) before me  
this 23 day of October 2023.

S. Parker

A Commissioner for Taking Affidavits  
within British Columbia

**SOFICA PARKER**  
*A Commissioner for Taking Affidavits  
Within the Province of British Columbia*  
Suite 430 - 505 Burrard Street  
Vancouver, B.C. V7X 1M3  
**Appointment Expires: May 31, 2024**

**In the Matter of the Receivership of  
442746 BC Ltd. and No. 88 Taurus Ventures Ltd.  
Summary of Receiver's Fees  
For the Period July 4, 2023 to September 15, 2023**

**442**

<b>Period</b>	<b>Invoice</b>	<b>Fees</b>	<b>Disbursements</b>	<b>GST</b>	<b>Total</b>
July 4, 2023 to September 15, 2023	9655 (2)	25,579.75	1,417.33	1,360.87	28,357.95

**Taurus**

<b>Period</b>	<b>Invoice</b>	<b>Fees</b>	<b>Disbursements</b>	<b>GST</b>	<b>Total</b>
July 4, 2023 to September 15, 2023	9655 (1)	25,579.75	1,397.33	1,360.87	28,337.95

<b>Total</b>		<b>51,159.50</b>	<b>2,814.66</b>	<b>2,721.74</b>	<b>56,695.90</b>
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**In the Matter of the Recevlership of  
442746 BC Ltd. and No. 88 Taurus Ventures Ltd.  
Summary of Recelver's Staff Hours and Hourly Rates  
For the Period July 4, 2023 September 15, 2023**

**Taurus**

<b>Name</b>	<b>Title</b>	<b>Hours</b>	<b>Average Hourly Rate (\$)</b>
Douglas Chivers	Senior Vice President	18.80	675
Kevin Koo	Manager	16.65	390
Neil Jayamaha	Senior Consultant	14.50	325
Sofie Parker	Senior Analyst	2.35	250
Office Administration	Senior Administrative Assistant	3.20	225
Office Administration	Administrative Assistant	2.15	175
		<b>57.65</b>	<b>444 *</b>

*\*Average Hourly Rate*

**442**

<b>Name</b>	<b>Title</b>	<b>Hours</b>	<b>Average Hourly Rate (\$)</b>
Douglas Chivers	Senior Vice President	18.80	675
Kevin Koo	Manager	16.65	390
Neil Jayamaha	Senior Consultant	14.50	325
Sofie Parker	Senior Analyst	2.35	250
Office Administration	Senior Administrative Assistant	3.20	225
Office Administration	Administrative Assistant	2.15	175
		<b>57.65</b>	<b>444 *</b>

*\*Average Hourly Rate*



October 18, 2023

Invoice No: 9655 (1)  
GST No: 103697215 RT0001

First National Financial LP  
16 York Street, Suite 1900  
Toronto, ON M5J 0E6

**Attention: Chris Sebben**

Dear Chris Sebben:

**Re: In the Matter of the Receivership of 442746 B.C. Ltd. (the "Company")**  
**Account Number: 1039010**

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Please find enclosed our Invoice No. 9655 (1) for professional services rendered for the period July 4, 2023 to September 15, 2023 which we trust you will find in order.

If you have any questions or concerns, please contact us.

Yours truly,

**MNP Ltd.**  
In its capacity as Receiver of  
442746 B.C. Ltd.

Per:

Douglas Chivers  
Encl.

**MNP LTD**

Suite 430, 505 Burrard Street, PO Box 72, Vancouver BC, V7X 1M3

T: 604.689.8939 F: 604.689.8584



Licensed Insolvency Trustees [MNPdebt.ca](http://MNPdebt.ca) | [bowragroup.com](http://bowragroup.com)

**PROFESSIONAL FEES RENDERED** by members of the staff of MNP Ltd. for the period of July 4, 2023 to September 15, 2023 as Receiver of the Company including inter alia the following:

DATE	STAFF	HOURS	FEE	DESCRIPTION
2023-07-04	Douglas Chivers	0.50	337.50	Contact and discussions with CBRE, Colliers and Cushman regarding the listing proposals.
2023-07-05	Douglas Chivers	0.25	168.75	Discussions with CBRE and Colliers regarding specifics of the listing proposal.
2023-07-05	Kevin Koo	0.50	195.00	Review and edit engagement letter. Review affidavit.
2023-07-05	Neil Jayamaha	0.75	243.75	Preparation of draft engagement letter and client acceptance forms. Perform a conflict check.
2023-07-07	Douglas Chivers	0.25	168.75	Discussions with Bill Randall regarding the affidavits and rent rolls for the properties.
2023-07-10	Douglas Chivers	0.30	202.50	Discussions with Allon Shapiro of CBRE regarding the listing proposal.
2023-07-12	Douglas Chivers	0.20	135.00	Email correspondence with Bill Randall regarding the listing proposal.
2023-07-14	Douglas Chivers	0.60	405.00	Discussions with Allon Shapiro regarding the listing proposal and discussions. Email correspondence with Bill Randall. Review of the listing proposal.
2023-07-17	Douglas Chivers	0.55	371.25	Email correspondence with Scott Stephens. Discussion with Cushman regarding the listing proposal. Review of marketing proposal from Allon Shapiro.
2023-07-18	Douglas Chivers	0.55	371.25	Review of listing proposal and discussions with Cushman. Email correspondence with Scott Stephens regarding the status of the financing.
2023-07-19	Douglas Chivers	0.15	101.25	Email correspondence to the realtors to provide an update on the status of the file.
2023-07-25	Douglas Chivers	0.15	101.25	Discussions with Allon Shapiro regarding the status of the financing and listing proposal.
2023-07-31	Douglas Chivers	0.20	135.00	Email correspondence with Scott Stephens regarding the financing and filing.
2023-08-02	Julia Noort	0.40	90.00	Conduct LTSA, Corporate and PPR searches.
2023-08-02	Douglas Chivers	0.55	371.25	Administration of the estate and discussions with various parties.



DATE	STAFF	HOURS	FEE	DESCRIPTION
2023-08-02	Kevin Koo	2.00	780.00	Review Court materials. Prepare various materials for taking possession. Correspondence with insurance broker. Review draft letters and packages to tenants. Prepare information for website.
2023-08-02	Neil Jayamaha	1.50	487.50	Preparation of Tenant Letters, notices and prepare copies of each to be distributed to the tenants.
2023-08-02	Sofie Parker	0.25	62.50	Meeting with team and management regarding administration of the estate.
2023-08-03	Julia Noort	0.50	112.50	Administration of the estate and publishing of the website.
2023-08-03	Douglas Chivers	1.65	1,113.75	Review of website updates and email correspondence with Julia Noort. Discussions with Kevin Koo regarding the administration of the estate. Review of insurance and other matters. Email correspondence with the lenders and contact of various parties including consultants to perform appraisals, environmental assessment, and building condition property assessments.
2023-08-03	Kevin Koo	1.00	390.00	Prepare to attend site. Attend site and put up door notices. Correspondence with insurance broker.
2023-08-03	Neil Jayamaha	1.00	325.00	Preparation of Tenant Letters, notices and prepare copies of each to be distributed to the tenants.
2023-08-04	Douglas Chivers	1.75	1,181.25	Preparation of listing proposal summary and recommendation. Discussions with Kevin Koo regarding taking possession and visitation of site.
2023-08-04	Kevin Koo	1.10	429.00	Correspondence regarding utilities. Call with insurance broker. Finalize memo to First National regarding listing proposals. Discussion regarding administration.
2023-08-04	Neil Jayamaha	0.50	162.50	Correspondence to Fortis and BC Hydro regarding account information.
2023-08-08	Douglas Chivers	1.10	742.50	Discussions with Colin Brousson regarding refinancing and approach to the receivership. Discussions with Allon Shapiro and discussions with legal counsel.
2023-08-08	Kevin Koo	0.25	97.50	Call with Colin Brousson. Correspondence regarding the same. Prepare bank freeze letters.
2023-08-08	Neil Jayamaha	0.80	260.00	Prepare Form 87, Form 7 and newspaper advertisement.

DATE	STAFF	HOURS	FEE	DESCRIPTION
2023-08-09	Douglas Chivers	1.80	1,215.00	Discussions with various parties regarding the status of the file, listing proposals, and refinancing. Email correspondence with Kevin Koo regarding taking possession. Review and edit the Form 87.
2023-08-09	Kevin Koo	1.20	468.00	Call with CIBC. Call with appraisers for quotes. Call with Peter Powers. Call with locksmith. Draft bank freeze letters. Edit Form 87's. Review Form 7's and newspaper ad. Correspondence with Peter Powers.
2023-08-09	Neil Jayamaha	1.00	325.00	Prepare bank freeze letters. Update company records.
2023-08-10	Julia Noort	0.20	45.00	Coordinate and publish newspaper ad.
2023-08-10	Douglas Chivers	0.70	472.50	Conference call with the lenders. Discussions with legal counsel. Telephone call with Colin Brousson regarding the financing.
2023-08-10	Kevin Koo	1.75	682.50	Prepare for and attend site. Meet with Peter Powers and Dependable Locksmith. Correspondence with BC Hydro.
2023-08-10	Neil Jayamaha	1.70	552.50	Correspondence with a tenant. Site visit with Bailiff to distribute letters, copies of the court order and tenant information forms. Put up door notices and create set of keys to enter the rental premises.
2023-08-11	Julia Noort	0.90	202.50	Administration of the estate regarding the mailout of Form 87 and court order to secured creditors.
2023-08-11	Douglas Chivers	0.45	303.75	Discussions and email correspondence with Kevin Koo regarding the actions of the principals and the door notices. Email correspondence and discussions with Colin Brousson regarding his principals cooperation.
2023-08-11	Sofie Parker	0.75	187.50	General estate administration regarding the review and coordinate filing Form 87 with OSB. Follow up with OSB on Certificate of filing and estate number. Coordinate newspaper ad and creditors mailout. Open bank account and prepare required documentation.
2023-08-11	Aoife Sugrue	0.70	122.50	Prepare creditors mailout.
2023-08-14	Julia Noort	0.10	22.50	Various estate administration relating to Ascend.
2023-08-14	Douglas Chivers	0.70	472.50	Discussions with Kevin Koo and Will Roberts regarding the conversations with tenants. Review of draft email to tenants.
2023-08-14	Neil Jayamaha	0.65	211.25	Prepare rental and other schedules. Update tenant records. Correspondence with tenant.

DATE	STAFF	HOURS	FEE	DESCRIPTION
2023-08-15	Douglas Chivers	0.65	438.75	Discussions with realtors regarding the status of the file and moving forward. Discussions with EXP and Burgess Cawley regarding Phase 1 and appraisal reports.
2023-08-15	Kevin Koo	0.75	292.50	Review correspondence with tenants. Various discussions and correspondence regarding the same. Draft email to tenant. Call with tenant.
2023-08-16	Julia Noort	0.10	22.50	Email Form 7 to BC Registries.
2023-08-16	Douglas Chivers	0.95	641.25	Review of selected insurance policy over the equipment. Email correspondence with first national regarding the appraisal and ESA. Review of the marketing proposal and discussions with Kevin Koo regarding the report.
2023-08-16	Kevin Koo	1.50	585.00	Draft Report to Court.
2023-08-17	Douglas Chivers	0.55	371.25	Email correspondence with various parties and legal counsel regarding refinancing and other matters.
2023-08-18	Kevin Koo	0.50	195.00	Prepare payout and various correspondence regarding the same.
2023-08-18	Julia Noort	1.00	225.00	Prepare miscellaneous correspondence.
2023-08-21	Kevin Koo	0.50	195.00	Prepare and update payout. Discussions regarding the same. Correspondence with legal counsel.
2023-08-21	Sofie Parker	0.23	56.25	Follow up with BMO on status of bank account. Coordinate set up in Ascend.
2023-08-22	Douglas Chivers	0.25	168.75	Correspondence with legal counsel.
2023-08-22	Kevin Koo	0.25	97.50	Review correspondence regarding refinancing.
2023-08-22	Neil Jayamaha	0.45	146.25	Various correspondence with tenants regarding the payment of September 2023 rent. Follow-up correspondence with the bank on the freeze letters.
2023-08-23	Kevin Koo	0.30	117.00	Call building manager. Correspondence with tenants.
2023-08-24	Douglas Chivers	0.25	168.75	Review of letter from legal counsel and correspondence regarding the same.
2023-08-25	Douglas Chivers	0.35	236.25	Email correspondence with realtors regarding the status of the refinancing. Discussions with Kevin Koo regarding the collection of rent and refinancing.
2023-08-25	Kevin Koo	0.40	156.00	Correspondence regarding September rent. Review correspondence regarding refinancing.

DATE	STAFF	HOURS	FEE	DESCRIPTION
2023-08-25	Neil Jayamaha	0.30	97.50	Follow-up with the bank on the bank freeze letters send on August 9, 2023.
2023-08-28	Douglas Chivers	0.25	168.75	Discussions with legal counsel and Kevin Koo regarding the status and rent collection. Review of draft letter to tenants and email correspondence with Colin Brousson.
2023-08-28	Kevin Koo	0.25	97.50	Draft letter to tenants.
2023-08-29	Douglas Chivers	0.40	270.00	Email correspondence and discussions with legal counsel. Discussions with Kevin Koo.
2023-08-29	Kevin Koo	1.25	487.50	Various correspondence regarding refinancing. Attend site, meet with tenants and deliver notices. Various calls and correspondence with tenants. Discussions regarding method of payments.
2023-08-29	Neil Jayamaha	1.50	487.50	Attend site to re-distribute correspondence to tenants. Preparation of door notices and email communication with tenants.
2023-08-29	Sofie Parker	0.25	62.50	Meeting with management team regarding estate administration including procedures for rent collection.
2023-08-30	Douglas Chivers	0.25	168.75	Email correspondence with legal counsel and discussions with Kevin Koo.
2023-08-30	Kevin Koo	0.25	97.50	Review various correspondence regarding refinancing. Correspondence with tenants.
2023-08-30	Sofie Parker	0.13	31.25	Estate administration related to banking matters including procedures on cash received.
2023-08-30	Aoife Sugrue	0.25	43.75	Record and post cheques received for rent payment. Prepare supporting documentation for bank deposit.
2023-08-31	Kevin Koo	0.40	156.00	Summarize discussions with tenants. Discussions regarding the same.
2023-08-31	Neil Jayamaha	1.50	487.50	Prepare and send payment instruction email to tenants. Various correspondence with tenants regarding the collection of rent for the month of September 2023. Create and update tenant and rental information in various schedules.
2023-09-01	Douglas Chivers	0.60	405.00	Discussions with Neil Jayamaha regarding the rent collections. Review of summary schedule. Correspondence with tenants.
2023-09-01	Kevin Koo	0.50	195.00	Correspondence with tenants. Various discussions regarding rent collection.

DATE	STAFF	HOURS	FEE	DESCRIPTION
2023-09-01	Neil Jayamaha	1.50	487.50	Call tenants prior to the visit to collect September rent. Site visit for rent collection and gather information. Send follow-up emails. Update records and new contact details.
2023-09-01	Sofie Parker	0.75	187.50	Estate administration related to various banking matters: set up and process Interac; cash and cheques payments for rent collection; update rent roll schedule; and, process journal entries and banking reports.
2023-09-01	Aoife Sugrue	0.25	43.75	Record and post cheques received for rent payment. Prepare supporting documentation for bank deposit.
2023-09-05	Douglas Chivers	0.40	270.00	Correspondence and discussions with legal counsel. Discussions with Kevin Koo on insurance.
2023-09-05	Aoife Sugrue	0.80	140.00	Process journal entries and GL data entry for various online payments. Record and post cheques received for September rent. Prepare supporting documentation for bank deposit.
2023-09-06	Douglas Chivers	0.15	101.25	Review of insurance renewal and discussions with Kevin Koo. Email correspondence with legal counsel.
2023-09-06	Kevin Koo	0.25	97.50	Various discussions regarding tenant concerns regarding building.
2023-09-06	Neil Jayamaha	0.30	97.50	Call tenants and send follow-up emails. Respond to various calls and emails from tenants. Update records and new contact details.
2023-09-07	Douglas Chivers	1.35	911.25	Review of draft report and discussions with Kevin Koo. Discussions with tenants. Correspondence and discussions with with legal counsel. Discussions with Neil Jayamaha regarding various building deficiencies. Assessments of those deficiencies and go forward approach.
2023-09-07	Kevin Koo	0.25	97.50	Various discussions regarding tenant concerns.
2023-09-07	Neil Jayamaha	0.30	97.50	Various correspondence with tenants. Contact and coordinate with locksmith.
2023-09-08	Kevin Koo	0.38	146.25	Edit Report to Court.
2023-09-08	Neil Jayamaha	0.75	243.75	Attend site with locksmith to service and repair the fire exit door.
2023-09-12	Kevin Koo	0.88	341.25	Update payout. Correspondence with insurance broker.

DATE	STAFF	HOURS	FEE	DESCRIPTION
2023-09-15	Kevin Koo	0.25	97.50	Review various correspondence regarding payout. Discussions regarding discharge and outstanding issues.
2023-09-15	Aoife Sugrue	0.15	26.25	Process journal entries and GL data entry for various online payments.
		<b>57.65</b>	<b>25,579.75</b>	

**INVOICE SUMMARY****PROFESSIONAL FEES** \$ 25,579.75**DISBURSEMENTS**

BC Online Searches	15.50	
Land Title Searches	24.32	
Ascend License Fee	294.25	
Form 7	20.00	
Form 87 and Notice to Tenants mailout	198.51	
Office Costs	864.75	
	<u>1,417.33</u>	

GST on Professional Fees	1,278.99	
GST on Taxable Disbursements	81.88	
	<u>1,360.87</u>	

**TOTAL THIS INVOICE** \$ 28,357.95

<b>Staff</b>	<b>Position</b>	<b>Hours</b>	<b>Hourly Rate</b> \$	<b>Total</b> \$
Douglas Chivers	Senior Vice President	18.80	675.00	12,690.00
Kevin Koo	Manager	16.65	390.00	6,493.50
Neil Jayamaha	Senior Consultant	14.50	325.00	4,712.50
Sofie Parker	Senior Analyst	2.35	250.00	587.50
Julia Noort	Senior Administrative Assist:	3.20	225.00	720.00
Aoife Sugrue	Administrative Assistant	2.15	175.00	376.25
<b>Time Billed</b>		<b>57.65</b>	<b>443.71 *</b>	<b>25,579.75</b>

(\* Average)