



No. VLC-S-S-206552
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

ROMSPEN INVESTMENT CORPORATION

Petitioner

AND:

CONIAN DEVELOPMENTS (LA VODA) INC., CONIAN DEVELOPMENTS (LA VODA II) INC., CONIAN DEVELOPMENTS INC., B.C. CURRENCY EXCHANGE INC., RANA WASIF KHALIQ, ROBINA KHAN, AJIT SINGH GILL, PACIFIC EDGE FORMING 2016 LTD., KUZCO LIGHTING INC., GRAESTONE READY MIX INC., TTF SCAFFOLDING INC., E.S.R. ELECTRIC LTD., MIDVALLEY REBAR LTD., MEGA CRANES LTD., EXCHANGE BANK OF CANADA, WEST COAST STEEL LTD., DULAI ROOFING LTD., AAA PLUMBING & HEATING LTD., RONA INC., KC'S PUMPING SERVICES INCORPORATED, RITU KARMA ENTERPRISES CORP., D.J. MASONARY LTD. aka D.J. MASONRY LTD., W.S. FIRE PROTECTION LTD., ACTIVE PHARMA INC., NARINDER KHEHRA aka NARINDER KKHEHRA, PEAK DISPOSAL SERVICES INC., SIDHU IQBAL SINGH, NINDERPAL SINGH SIDHU, KING STONE SLINGER LTD., TIDES CONSULTING LTD., PRO-FIT STRUCTURES (2007) LTD., MSD ENGINEERING INC., WEDLER ENGINEERING LLP, BARNETT DEMBEK ARCHITECTS INC., and CBA ENTERPRISES LTD.

Respondents

NOTICE OF APPLICATION

Names of applicants: The Bowra Group Inc., Receiver of Conian Developments (La Voda) Inc. and Conian Developments (La Voda II) Inc. (the "**Applicant**")

To: The Service List, attached as **Schedule "A"**.

TAKE NOTICE that an application will be made by the Applicant to the presiding judge or master at the courthouse at 800 Smithe Street, Vancouver, BC, V6Z 2E1 on 24/SEPT/2020 at 9:45 a.m. for the order(s) set out in Part 1 below.

Part 1: ORDER(S) SOUGHT

1. An order substantially in the form attached hereto as **Schedule “B”**:
 - a) abridging the time for service of this Notice of Application and supporting materials, and dispensing with service thereof upon any interested party, other than those parties listed as having received notice in this Notice of Application; and
 - b) increasing the limit of the amount the Receiver is authorized to borrow from the Petitioner for the purpose of funding the exercise of the powers and duties conferred on the Receiver from \$400,000 to \$650,000
2. Such further and other relief as counsel may advise and this Honourable Court may deem just.

Part 2: FACTUAL BASIS

1. The Bowra Group Inc. was appointed Receiver and Manager (the “**Receiver**”) of the assets, undertakings and properties of Conian Developments (La Voda) Inc. (“**La Voda I**”) and Conian Developments (La Voda II) Inc. (“**La Voda II**”) (collectively “**La Voda**” or the “**Companies**”) on July 8, 2020 pursuant to an Order of the Supreme Court of British Columbia (the “**Receivership Order**”).
2. The Companies own approximately 3.5 acres located at Ravine Road and King George Boulevard in Surrey, B.C. (collectively referred to as the “**Development Property**”)
3. The La Voda I lands consist of a 1.2 acre parcel of land with a proposed 156-unit, six story, wood frame residential rental building located at 11077 Ravine Road. The construction of the condo building commenced in April 2019 and is estimated to be approximately 20% complete. Construction activity ceased on May 20, 2020.
4. The La Voda I condo building under construction is exposed to the elements and at risk of deteriorating if it is not properly protected.
5. The Receiver estimates that the costs that will be incurred from July 8, 2020, the date of the Receivership order, to November 30, 2020 will be \$650,000 including \$190,000 for property taxes due to be paid by September 30, 2020.
6. Pursuant to the Receivership Order, paragraphs 3(u) and 25, the Receiver is authorized to borrow from the Petitioner up to \$400,000 for receivership disbursements, not including professional fees. The Receiver is requesting an increase in its borrowing powers of up to \$650,000 for the receivership disbursements not including professional fees.

Part 3: LEGAL BASIS

1. Section 31(1) of the *Bankruptcy and Insolvency Act* allows the Receiver to borrow money in any amount approved by the Court.
2. The Receivership Order permits the Receiver to receive further advances of the Petitioners loans to La Voda I and La Voda II limited to the amount of \$600,000 subject to further order (\$200,000 for the Receiver's fees and disbursements and \$400,000 for the Receiver's other borrowings).

Receivership Order, para. 3(u)

3. The Receivership Order further provides that the Receiver is authorized to borrow monies from the Petitioner, in addition to borrowings for its fees and disbursements, limited to the amount of \$400,000 subject to further order for the purpose of funding the exercise of powers and duties conferred upon the Receiver by the Receivership Order.

Receivership Order, para. 25

4. The Receiver requires an increase in the amount it is authorized to borrow for additional expenses that were not contemplated when the Receivership Order was granted, particularly for payment of property taxes.

Part 2: MATERIAL TO BE RELIED ON

1. Receiver's First Report to the Court dated September 17, 2020

The applicants estimate that the application will take 5 minutes.

This matter is within the jurisdiction of the master.

- This matter is not within the jurisdiction of a master.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to the application, you must, within 5 business days after service of this notice of application or, if this application is brought under Rule 9-7, within 8 business days after service of this notice of application,

- (a) file an application response in Form 33,
- (b) file the original of every affidavit, and of every other document, that
 - (i) you intend to refer to at the hearing of this application, and
 - (ii) has not already been filed in the proceeding, and

- (c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
- (i) a copy of the filed application response;
 - (ii) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person
 - (iii) if this application is brought under Rule 9-7, any notice that you are required to give under 9-7(9).

Date: 17/SEPT/2020



Signature of counsel for applicants
PETER J. REARDON

THIS NOTICE OF APPLICATION is prepared by Peter Reardon, of the firm of Nathanson, Schachter & Thompson LLP, Barristers and Solicitors, whose place of business and address for service is Suite 750 – 900 Howe Street, Vancouver, B.C. V6Z 2M4, telephone (604) 662-8840 and whose email address for service is preardon@nst.bc.ca with a copy to jpinard@nst.bc.ca

To be completed by the court only:

Order made

in the terms requested in paragraphs _____ of Part 1 of this notice of application

with the following variations and additional terms:

Dated: _____

Signature of

Judge

Master

APPENDIX

THIS APPLICATION INVOLVES THE FOLLOWING:

- discovery: comply with demand for documents
- discovery: production of additional documents
- extend oral discovery
- other matter concerning oral discovery
- amend pleadings
- add/change parties
- summary judgment
- summary trial
- service
- mediation
- adjournments
- proceedings at trial
- case plan orders: amend
- case plan orders: other
- experts

SCHEDULE "A"

Service List

Counsel for Romspen Investment Corporation	Owen Bird Law Corporation Three Bentall Centre 29 th Floor 595 Burrard Street PO Box 49130 Vancouver, BC V7X 1J5 Attention: Scott Stephens Email: sstephens@owenbird.com
Counsel for The Bowra Group Inc., Receiver of Conian Developments (La Voda) Inc. and Conian Developments (La Voda II) Inc.	Nathanson Schachter & Thompson LLP #750 – 900 Howe Street Vancouver, BC V6Z 2M4 Attention: Peter J. Reardon Email: preardon@nst.bc.ca jpinard@nst.bc.ca
Counsel for the Plaintiff, Meng Zhu	Wiebe Wittmann El Khatib LLP #1100 – 1111 West Hastings Street Vancouver, BC V6E 2J3 Attention: Russell Robertson Email: rrobertson@wwelaw.ca
Counsel for McEown & Associates Inc.	Clark Wilson LLP 900 – 885 West Georgia Street Vancouver, B.C. V6C 3H1 Attention: Chris Ramsay / Katie G. Mak / Deborah Hamann-Trou Email: CRamsay@cwilson.com KMak@cwilson.com DHamann-Trou@cwilson.com
Counsel for Conian Developments (La Voda) Inc., Conian Developments (La Voda II) Inc., Conian Developments Ltd., Rana Wasif Khaliq, Robina Khan and BC Currency	Ellis Business Lawyers 400 – 1681 Chestnut Street Vancouver, B.C. V6J 4M6

Exchange	Attention: Meldon Ellis Email: meldon@ellislawyers.com
Her Majesty the Queen in Right of Canada	British Columbia Regional Office Department of Justice Canada 900 – 840 Howe Street Vancouver, B.C. V6Z 2S9
Her Majesty the Queen in Right of the Province of British Columbia	Deputy Attorney General Minister of Justice PO Box 9280 Stn Prov Govt Victoria, B.C. V8W 9J7
Counsel for Kuzco Lighting Inc.	Burns Fitzpatrick LLP 1400 – 510 Burrard Street Vancouver, B.C. V6C 3A8 Attention: Scott A. Turner Email: sturner@burnsfitz.com
Counsel for Exchange Bank of Canada	Richards Buell Sutton LLP 700 – 401 West Georgia Street Vancouver, B.C. V6B 5A1 Attention: Daniel D. Nugent Email: dnugent@rbs.ca
Counsel for HSBC Bank (Canada)	Fasken LLP 2900 – 560 Burrard Street Vancouver, B.C. V6C 0A3 Attention: John Grieve Email: jgrieve@fasken.com
Office of the Superintendent of Bankruptcy	2000 – 300 W Georgia Street Vancouver, B.C. V6B 6E1 Attention: Gary Sam/ Danny Park Email: gary.sam@canada.ca danny.park@canada.ca
Counsel for 0711655 BC Limited	Watson Goepel LLP

	<p>1200 – 1075 West Georgia Street Vancouver, B.C. V6E 3C9 Attention: Jeremy West/ Chelsey Cochrane Email: jwest@watsongoepel.com ccochrane@watsongoepel.com</p>
<p>Counsel for Brar Natural Flour Milling (BC) Inc. and House of Sher 2018 Ltd.</p>	<p>MTL Aikins 2600 – 1066 West Hastings Street Vancouver, B.C. V6E 3X1 Attention: William E.J. Skelly/ Thomas W. Clifford Email: wskelly@mltaikins.com tclifford@mltaikins.com</p>
<p>Counsel for 0711655 B.C. Ltd.</p>	<p>Gehlen Dabbs Lawyers 1201 – 1030 W Georgia Street Vancouver, B.C. V6E 2Y3 Attention: Gregory J. Gehlen Email: gg@gdlaw.ca</p>
<p>Counsel for Ajit Singh Gill</p>	<p>McMillian LLP 1500 – 1055 West Georgia Street Vancouver, B.C. V6E 4N7 Attention: Vicki Tickle Email: vicki.tickle@mcmillan.ca</p>
<p>Counsel for Pacific Edge Forming 2016 Ltd., AAA Plumbing & Heating Ltd., D.J. Masonary Ltd. aka D.J. Masonry Ltd. and Pro-Fit Structures (2007) Ltd.</p>	<p>Baker Newby 200 – 2955 Gladwin Road Abbotsford, B.C. V2T 5T4 Attention: Adnan N. Habib Email: ahabib@bakernewby.com estewart@bakernewby.com</p>
<p>Counsel for E.S.R. Electric Ltd.</p>	<p>McLean & Armstrong LLP 300 – 1497 Marine Drive West Vancouver, B.C. V7T 1B8 Attention: Chris Moore Email: chrismoore@mcleanarmstrong.com</p>

Counsel for TTF Scaffolding Inc.	Jenkins Marzban Logan LLP 900 – 808 Nelson Street Vancouver, B.C. V6Z 2H2 Attention: Michael Dew Email: mdew@jml.ca
Counsel for Mega Cranes Ltd.	Mandeep Grewal Notary Public 112 – 15375 Hwy 10 Surrey, B.C. V3S 0X9 Attention: Mandeep Grewal Email: mandeep@mgnotary.ca
Counsel for Dulai Roofing Ltd.	South Fraser Law Group 12565 88 th Avenue Surrey, B.C. V3W 3J7 Attention: Jaspreet S. Malik Email: Jaspreet@sflg.ca
Counsel for Rona Inc.	Mckechnie & Company 300 – 1122 Mainland Street Vancouver, B.C. V6B 5L1 Attention: Phil Di Tomaso and Melanie Fisher Email: melanie@mckechnie.bc.ca Phil@mckechnie.bc.ca
Counsel for W.S. Fire Protection Ltd.	CBM Lawyers LLP 200 – 4769 – 222 nd Street Langley, B.C. V2Z 3C1 Attention: Jon Goheen Email: jgoheen@cbmlawyers.com cadams@cbmlawyers.com
Counsel for King Stone Slinger Ltd.	Randhawa Law Centre 105B 12830 – 80 Avenue Surrey, B.C. V3W 3A8 Attention: Honveer S. Randhawa Email: honveer@gmail.com

Counsel for MSD Engineering Inc.	LeBeau Law Corporation 201 – 1118 Austin Avenue Coquitlam, B.C. V3K 3P5 Attention: Michael A. LeBeau Email: michael@lebeaulaw.ca
Counsel for Active Pharma Inc. and Ritu Karma Enterprises Corp.	Gautam & Associates 210 – 8028 128 Street Surrey, B.C. V3W 4E9 Attention: Raman S. Atwal Email: rsatwal@galawyers.ca
Counsel for Graestone Ready Mix Inc.	Armitstead & Company 320 – 31935 South Fraser Way Abbotsford, B.C. V2T 5N7 Attention: Les Armitstead Email: les@armitco.com
Counsel for CBA Enterprises Ltd.	Reedman Law 1212-1030 West Georgia Street Vancouver, BC V6E 2Y3 Attention: Cody Reedman Email: creedman@reedmanlaw.com
Counsel for Barnett Dembek Architects Inc.	Cassady & Company 330 – 522 Seventh Street New Westminster, B.C. V3M 5T5 Attention: John S. Dyer Email: Dyer@cassadylaw.com mdembek@bdarkitex.com
Counsel for Malkiat Gill	Borden Ladner Gervais LLP 1200 – 200 Burrard Street Vancouver, B.C. V7X 1T2 Attention: Ryan Laity Email: RLaity@blg.com LHiebert@blg.com

West Coast Steel Ltd. c/o 1100 – 1111 West Hastings Street Vancouver, B.C. V6E 2J3	Midvalley Rebar Ltd. c/o 225 – 20316 56A Avenue Langley, B.C. V3A 3Y7
KC's Plumbing Services Incorporated c/o 33066 First Avenue Mission, B.C. V2V 1G3	Peak Disposal Services Inc. c/o 400 – 725 Granville Street Vancouver, B.C. V7Y 1G5
Tides Consulting Ltd. c/o 213 – 3993 Henning Drive Burnaby, B.C. V5C 6P7	Wedler Engineering LLP c/o PO Box 390 Chilliwack, B.C. V2P 4M8
Iqbal Singh Sidhu and Ninderpal Singh Sidhu c/o Taylor Law Group 210 Willoughby Town Centre Drive Langley, B.C. V2Y 0M7	Narinder Khehra c/o Gautam & Associates 210 – 8028 128 Street Surrey, B.C. V3W 4E9

SCHEDULE "B"

No. VLC-S-S-206552
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

ROMSPEN INVESTMENT CORPORATION

Petitioner

AND:

CONIAN DEVELOPMENTS (LA VODA) INC., CONIAN DEVELOPMENTS (LA VODA II) INC., CONIAN DEVELOPMENTS INC., B.C. CURRENCY EXCHANGE INC., RANA WASIF KHALIQ, ROBINA KHAN, AJIT SINGH GILL, PACIFIC EDGE FORMING 2016 LTD., KUZCO LIGHTING INC., GRAESTONE READY MIX INC., TTF SCAFFOLDING INC., E.S.R. ELECTRIC LTD., MIDVALLEY REBAR LTD., MEGA CRANES LTD., EXCHANGE BANK OF CANADA, WEST COAST STEEL LTD., DULAI ROOFING LTD., AAA PLUMBING & HEATING LTD., RONA INC., KC'S PUMPING SERVICES INCORPORATED, RITU KARMA ENTERPRISES CORP., D.J. MASONARY LTD. aka D.J. MASONRY LTD., W.S. FIRE PROTECTION LTD., ACTIVE PHARMA INC., NARINDER KHEHRA aka NARINDER KKHEHRA, PEAK DISPOSAL SERVICES INC., SIDHU IQBAL SINGH, NINDERPAL SINGH SIDHU, KING STONE SLINGER LTD., TIDES CONSULTING LTD., PRO-FIT STRUCTURES (2007) LTD., MSD ENGINEERING INC., WEDLER ENGINEERING LLP, BARNETT DEMBEK ARCHITECTS INC., and CBA ENTERPRISES LTD.

Respondents

ORDER MADE AFTER APPLICATION

BEFORE)
)
) THE HONOURABLE JUSTICE)
) _____ SEP 2020)
)
)

)

)

ON THE APPLICATION of **The Bowra Group Inc.** coming on for hearing at Vancouver, British Columbia, on Thursday, September 24, 2020, and on hearing Peter J. Reardon, counsel for the applicant, and <>;THIS COURT ORDERS that:

1. The time for service of this Notice of Application and supporting materials is hereby abridged such that the Notice of Application is properly returnable today, and service thereof upon any interested party, other than those parties listed as having received notice in this Notice of Application, is hereby dispensed with; and
2. The limit of the amount the Receiver is authorized to borrow from the Petitioner for the purpose of funding the exercise of the powers and duties conferred on the Receiver is increased from \$400,000 to \$650,000.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

Signature of counsel for the applicant
PETER J. REARDON

By the Court

Registrar in Bankruptcy

District of British Columbia
Division No.: 03 - Vancouver
Court No.: _____
Estate No.: _____
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF THE NOTICE OF INTENTION
TO MAKE A PROPOSAL OF

1104749 B.C. LTD.

ORDER MADE AFTER APPLICATION

Kevin D. Loo

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