

Court File No.: 05-145/15

**ONTARIO
SUPERIOR COURT OF JUSTICE
ESTATES LIST**

IN THE MATTER OF THE ESTATE OF PAUL ZIGOMANIS, deceased

GAIL MacDONALD

Applicant

- and -

VIOLET COOPER

Respondent

**JONATHAN COOPERMAN OF
A. FARBER & PARTNERS INC.**

**SECOND SUPPLEMENTAL REPORT TO THE SECOND REPORT
OF THE ESTATE TRUSTEE DURING LITIGATION**

MAY 17, 2017

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MAY 17, 2017

INTRODUCTION

1. This report (the “**Second Supplemental Report**”) is the second supplemental report to the Second Report dated May 11, 2016, of Jonathan Cooperman of A. Farber & Partners Inc. (“**Farber**”), in his capacity as estate trustee during litigation (the “**Trustee**”) under sections 28 and 29 of the Estates Act, R.S.O. 1990, c. E. 21, of all property and assets of the estate, including all proceeds thereof (the “**Property**”) of Paul Zigomanis (“**Paul**” or the “**Deceased**” and collectively, the “**Estate**”).

2. The Second Report was prepared to support the Trustee's motion that was originally scheduled to be heard on June 27, 2016. That motion has been adjourned three times, now to be heard on May 24, 2017.
3. The Trustee issued its first supplemental report (the "**Supplemental Report**") to the Second Report on October 14, 2016, in anticipation of the motion hearing that had initially been rescheduled from June 27, 2016 to October 18, 2016.
4. All capitalized terms used in this Second Supplemental Report but not otherwise defined have the meanings set out in the Second Report.

PURPOSES OF THIS REPORT

5. The purposes of this Second Supplemental Report are to provide the Court with an update with respect to:
 - a) The Trustee's activities and further information obtained since issuance of the Supplemental Report, as it has been approximately seven (7) months since the Supplemental Report was issued; and
 - b) Responding materials received from affected parties that were served with the motion record and the Trustee's comments thereon.

SUMMARY OF TRUSTEE'S ACTIVITIES

6. Subsequent to the issuance of the Supplemental Report the Trustee has:
 - i) continued to monitor Brimley with periodic site visits;
 - ii) maintained liability insurance on Brimley;
 - iii) met with Royal Bank of Canada ("**RBC**") staff at Paul's former branch to attempt to obtain banking records;
 - iv) obtained a response from the City of Toronto to the Trustee's request under the Municipal Freedom of Information and Protection of Privacy Act;

- v) been served with six more statements of claim from stakeholders claiming damages against the Estate for property damage and/or personal injury caused by the Explosion;
- vi) prepared and filed a statement of claim against Aviva Insurance Company of Canada (“**Aviva**”); and
- vii) maintained a record of all claims against the Estate.

ROYAL BANK OF CANADA

- 7. The Trustee met with RBC staff at the branch at Danforth and Broadview in Toronto where Paul held his bank account. The purpose of the meeting was to obtain historical bank records for Paul’s account to, *inter alia*, identify if Paul actually provided \$140,000 to his parents on November 5, 1991, as reported in the Supplemental Report.
- 8. RBC advised the Trustee that it was not possible to obtain banking records dating back to 1991. As a result, the Trustee was not able to independently verify the source of the \$140,000 transfer to Paul’s parents.

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (“MFIPPA”)

- 9. As reported at paragraph 43 of the Second Report, the Trustee learned from Mr. Procope’s legal file that Paul had “a tribunal matter at landlord-tenant; water fixed, no hot water”. In order to gain further understanding into the nature of the complaint as it relates to the hot water heater, the Trustee submitted a formal request to the City of Toronto (the “**City**”) for information about Brimley in accordance with MFIPPA. The Trustee received a response from the City (the “**MFIPPA Response**”) during the week of February 6, 2017. A copy of the MFIPPA Response is attached as **Appendix “A”**.

10. The only item of relevance in the MFIPPA Response was disclosure of a complaint filed on July 15, 2013 in respect of, *inter alia*, a faulty pilot light on the hot water heater at Brimley. It appears that the City conducted an inspection on April 3, 2014 and then closed its file with no further action being required. The Trustee notes that the City redacted a significant amount of the findings and observations in its complaint file.

THE DEATH OF PAUL

11. The nature and cause of Paul's death, namely the Explosion, and the facts surrounding the cause of the Explosion are important to the administration of this Estate. The relevance of such facts may affect the following:
 - i) entitlement to insurance coverage for property (dwelling and contents) and liability under the Aviva Policy;
 - ii) the duty of Aviva to defend claims against the Estate;
 - iii) the liability of the Estate in general with respect to claims of property damage and personal injury caused by the Explosion; and
 - iv) any potential claims by the Estate against others regarding the Explosion.
12. The FMO Report concluded that the Explosion was caused by the separation of the gas union that formed part of the supply piping to the hot water heater and that this separation was caused by direct human intervention. The FMO report was silent on who separated the gas union and the circumstances regarding same.
13. The O&C Report, commissioned by Aviva, went one step further to state that Paul deliberately caused the Explosion. Aviva has advised the Trustee that it considers the cause of the Explosion to have been a deliberate act caused by Paul. The Trustee considers this conclusion to be premature and that there are other potential explanations as to how the Explosion occurred. The potential consequence of

Aviva's conclusion is to deprive the Estate of the insurance proceeds for which it may otherwise be entitled.

14. As reported in the Second Report, the Coroner's Report considered both accident and suicide as the cause of the Explosion and concluded that the manner of death is undetermined.
15. Included in the submissions of several third party claimants who oppose the Trustee's motion being heard on May 24, 2017, are assertions that Paul may have deliberately caused the Explosion and may have been suicidal.
16. The Trustee considers the following further facts as relevant to the evaluation of whether or not Paul caused the Explosion:
 - i) with the relatively recent passing of his parents, John and Mary, at the time of the Explosion Paul stood to inherit his share of a material amount of wealth;
 - ii) the Trustee learned that Paul had filed a complaint with City of Toronto Municipal Property Standards on July 15, 2013, regarding problems with the hot water heater;
 - iii) John's estate trustee, Gail MacDonald, advised the Trustee that she was advised by Neptune Technology Group Canada Ltd., contractor to the City of Toronto, that a water meter had been installed at Brimley on April 16, 2015, four (4) days before the explosion; and
 - iv) Paul had begun to file his outstanding income tax returns, a sign that he may have been attempting to get his life back in order.
17. The Trustee advises that it believes that the investigation being conducted by the City of Toronto Police Service, as reported in the Second Report, is ongoing.
18. The Trustee will consider what further investigation is required as appropriate after the Trustee's motion regarding Brimley has been resolved.

STAKEHOLDER COMMUNICATIONS

19. The Trustee and counsel to the responding parties agreed to a motion timeline (the “**Motion Timeline**”) for the submission of queries, responses, and amended factums in advance of the hearing to be held on May 24, 2017. A copy of the Motion Timeline, updated on February 9, 2017 and as circulated with the parties, is attached as **Appendix “B”**.
20. Action item #3 on the Motion Timeline contemplated the Trustee filing a Supplementary Report with information requested by responding counsel by January 27, 2017. Responding counsel had asked the Trustee to further investigate and report on the complaint filed by Paul with the Landlord-Tenant Tribunal.
21. The Trustee also sought information concerning the timing of construction of Brimley as it relates to the timing of the \$140,000 payment to Paul’s parents.
22. To save time and costs, Trustee’s counsel provided responding counsel with information via email on January 27, 2017 in lieu of filing a supplemental report. A copy of that email with attachments is attached as **Appendix “C”**.
23. The builder of Brimley was Monarch Homes, which is now owned by Mattamy Homes. The Trustee contacted Mattamy on January 4, 2017 to enquire about the timing of the construction of Brimley. Mattamy reviewed their records and was only able to locate home warranty filing dates in respect of the construction of Brimley which does not necessarily represent the actual construction dates. The Trustee sought this information as part of its efforts to match the timing of the \$140,000 payment received by Paul’s parents with the timing of the home construction. The information provided by Mattamy was deemed inconclusive by the Trustee. The communication with Mattamy Homes is included in **Appendix “D”**.
24. As the Explosion occurred on April 20, 2015, the two year Statute of Limitations period (the “**Limitations Period**”) expired on April 20, 2017. The Trustee undertook to provide notice to potential claimants of this fact by:

- i) Posting a notice on its website on March 15, 2017;
- ii) Mailing a notice on March 29, 2017 to all known potential claimants as reported in the Supplemental Report who had not yet filed a formal statement of claim. A copy of the notice dated March 27, 2017 along with the list of recipients are attached as **Appendix “E”**.

AVIVA INSURANCE COMPANY OF CANADA

- 25. On April 19, 2017, the Trustee filed a statement of claim against the Aviva Insurance Company of Canada (“Aviva”) to preserve the Estate’s rights, if any, to the coverages provided by the insurance policy held in respect of Brimley by Paul’s parents (the “**Aviva Claim**”) in advance of the expiry of the Limitations Period. A copy of the Aviva Claim is attached as **Appendix “F”**.
- 26. On April 19, 2017, the Trustee of John’s Estate, Gail MacDonald, filed a statement of claim against the Aviva Insurance Company of Canada (“Aviva”) to preserve its rights, if any, under the insurance policy held in respect of Brimley by John and Mary Zigomanis (the “**Gail v Aviva Claim**”) in advance of the expiry of the Limitations Period. Specifically, the Gail v Aviva Claim seeks \$910,000 for damage to the dwelling, personal property, and detached private structure. A copy of the Gail v Aviva Claim is attached as **Appendix “G”**.
- 27. The Trustee has had discussions with Aviva and other opposing counsel about whether or not a settlement could be negotiated with Aviva in advance of the May 24, 2017 hearing. It was resolved that such negotiations should be deferred until after the ownership of Brimley is determined on May 24, 2017.

CLAIMS RECEIVED

- 28. The Trustee has received eight (8) statements of claim in total from stakeholders claiming a total of \$5,610,414, summarized as follows:
 - i) six (6) claims wherein the Trustee consented to the lifting of the stay of proceedings to allow the claims to be filed: total claimed \$5,010,414.

- ii) two (2) claims which were filed without the Trustee's consent to the lifting of the stay of proceedings: total claimed \$600,000.
- 29. A Notice of Action has been filed by another claimant. However, the amount of that claim is unknown at the time of writing this report.
- 30. Attached as **Appendix "H"** is an updated list of Potential Claims Received which incorporates claims received subsequent to the Supplement to the Second Report issued October 14, 2016. This schedule includes:
 - i) eight (8) statements of claim referred to above;
 - ii) four (4) other claims totalling \$108,041.94 that the Trustee is aware of and for which statements of claim have not been issued; and
 - iii) one (1) notice of action that has not been proceeded by a statement of claim.

CONCLUSIONS AND RECOMMENDATIONS

- 31. Based on the further evidence and information obtained since the issuance of the Supplemental Report, claims and submissions received, and discussions with stakeholders, the recommendation of the Trustee has not changed since the issuance of the Second Report.

All of which is respectfully submitted this 17th day of May, 2017.

**JONATHAN COOPERMAN OF A. FARBER & PARTNERS INC.
IN HIS CAPACITY AS ESTATE TRUSTEE DURING LITIGATION OF
THE ESTATE OF PAUL ZIGOMANIS, DECEASED**

A handwritten signature in blue ink, appearing to read 'Jonathan Cooperman', is written over a horizontal line.

Appendix A



City Clerk's Office

City Hall, 13th Floor, West
100 Queen Street West
Toronto, Ontario M5H 2N2

Ulli S. Watkiss
City Clerk

Tel: 416-392-8011
Fax: 416-392-4900
Email: clerk@toronto.ca
Web: www.toronto.ca

FOR FURTHER INFORMATION

Gavin Nettlefold
416-397-5217

January 23, 2017

Mr. Peter Crawley
A. Farber & Partners Inc.
1600-150 York Street
Toronto, ON M5H 3S5

Dear Mr. Crawley:

Subject: City of Toronto Access Request Number 2016-03110

I am replying to your access request under the *Municipal Freedom of Information and Protection of Privacy Act*.

You have requested access to a copy of "re: 3356 Brimley Rd, Scarborough, ON I) Toronto Water services records; [...] III) Municipal Standards complaints and investigation records. The date of the records to be searched is January 1, 2010 to December 31, 2015.

Staff of Toronto Water and Municipal Licensing & Standards have conducted a search for the requested records. This decision reflects the results of their search.

Decision

Access is granted in part to the records found by staff of Toronto Water and Municipal Licensing & Standards. Access is denied to the remainder of the records under sections 14(1) of the *Act*.

Section 14(1) has been relied upon to sever the personal information of individuals as the disclosure would constitute an unjustified invasion of privacy.

A copy of the responsive records is enclosed.

Right to appeal our decision

You may ask for a review within 30 days as of the date of this decision by contacting: The Registrar, Information and Privacy Commissioner/Ontario, 2 Bloor Street East, Suite 1400, Toronto, Ontario, M4W 1A8, telephone: 416-326-3333, or toll free 1-800-387-0073.

Mr. Peter Crawley

January 23, 2017

If you choose to appeal, please provide the Commissioner with the following:

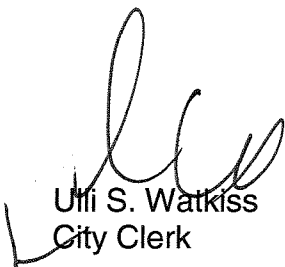
- the request number assigned to your request;
- a copy of this decision letter;
- a copy of your original request;
- the appeal fee for general records of \$25, payable by cheque or money order to the Minister of Finance.

For more information, you may wish to visit the IPC's website:

<http://www.ipc.on.ca/english/Home-Page/>

Should you have any questions, please contact **Gavin Nettlefold, Access and Privacy Officer**, at 416-397-5217 or gavin.nettlefold@toronto.ca.

Yours truly,



Ulli S. Watkiss
City Clerk

Encl.

Requester's Copy

Access Request No.: 2016-03110
Page Count: 28

Report Date 01/18/2017 08:13 AM

Submitted By

Page 1

Service # 755335
Problem CBSNK CATCHBASIN(STORM) - SUNKEN/HIGH
Address 3356 BRIMLEY RD
SC ON M1V-5B4

Call Date 01/10/2014 11:03
Taken By FDONATO DONATO, FRANK
Source
☐ Customer Contact Requested
Priority 3 RESPOND WITHIN 24 HRS
Responsibility EOMS EAST COMMUNITY-SUPERVISOR
Project
Budget #

Duration of Call 00:00

of Calls 1

Service Request Progress

Schedule (resolved)

Inspect Inspected late from 01/13/2014 01:00 PM to 01/13/2014 01:19 PM by JWENSIN JOHN WENSINK. Was due by 01/11/2014 11:03 AM.

Resolve Resolved late at 01/13/2014 01:19 PM with code RES RESOLVED. Was due by 01/11/2014 11:03 AM. No work orders are required.

Location LOCATION IS AT BRIMLEY AND PORT ROYAL. SOUTHBOUND ON BRIMLEY JUST SOUTH OF THE NORTH LEG OF PORT ROYAL. REFER TO DAY SHIFT, AS PER J.WLADYCZAK

Area
District EA41 Scarborough-Rouge River (41)
Parcel
Template Type
Asset
Sub-Area
Map # 56Q-33
A/P #

Primary Caller

Name GEORGE WALL
First,MI
Address

Title

Later identified as
a Field Investigator

City
State/Province
Country
E-Mail

☐ Foreign

ZIP/PC
Reference #

Day Phone (416)688-9495 x
Call Date 01/10/2014 11:03

Evening Phone
Taken By FDON

Comments

ward 41- sunken storm sewer- roads called it in,. thy left a pylon marking the locationm

Call List

There are no additional callers for this service number

Contractor Cost

Charge Date ID Name
Budget # Comments

There are no costs of this type for this service number

Equipment Cost

Charge Date Type ID Usage Cost
Budget # Comments

There are no costs of this type for this service number

Extra Item Cost

Charge Date Extra Item Description Quantity Cost
Budget # Comments

There are no costs of this type for this service number

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Submitted By

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Labour Cost	Crew Type	Job Class	Employee ID	Name/Description	Pay Type	Hours	Cost
Charge Date							
Budget #				Comments			

There are no costs of this type for this service number

Material Cost	Stock Area	Part Number	Part Description	Quantity	Cost
Charge Date					
Budget #		Comments			

There are no costs of this type for this service number

Tool Cost	Tool	Description	Quantity	Cost
Charge Date				
Budget #		Comments		

There are no costs of this type for this service number

Vehicle Cost	Type	ID	Usage	Cost
Charge Date				
Budget #		Comments		

There are no costs of this type for this service number

A/P	A/P #	A/P Type	Status	Stage
Template Type				

There are no linked AP entries for this service number

Log	Description	Log Started	Log Ended	Entered By
Log Type				
Comments				

FRRSRP	1ST RESPONSE/INSPECTOR'S REPT	01/13/2014 13:19		JWENSIN
unable to locate curb covered in ice no pylon can be found				

FRRSRP	1ST RESPONSE/INSPECTOR'S REPT	01/11/2014 00:39		NARIGAN
Due to a high volume of calls. I have reached the end of my shift. Please pass on to the next shift.				

FRRSRP	1ST RESPONSE/INSPECTOR'S REPT	01/10/2014 17:15		BWIFFEN
due to high call volumn unable to attend,given back to dispatch				

3-1-1	311 RELATED	01/10/2014 12:02		311AGENT
See SR 755351				

3-1-1	311 RELATED	01/10/2014 11:05		311AGENT
311 Reference Number: 101002475886				

Report Date 01/18/2017 08:13 AM

Submitted By

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Log Log Type Comments	Description	Log Started	Log Ended	Entered By
-----------------------------	-------------	-------------	-----------	------------

Linked requests

Service #	Problem	Problem Date	Address
-----------	---------	--------------	---------

There are no linked requests for this service number

Base Flood Report

Main line type Storm Event (dd/mm/yyyy) Was there surface flooding? Street (Y/N)?
Was there basement flooding (Y/N)? Type of water in basement Property (Y/N)?
Maintenance hole surcharged while on site (Y/N)? If "No", were there signs of surcharge (Y/N)?
Max height of surcharge (measure from mh rim - metres)
Depth of basement to: A) Bottom of window (metres) 0.000 Time water entered basement
B) Ground surface (metres) 0.000 Time water finally cleared
How much water in basement A) Observed 0.000 Time water was deepest
(metres)? B) Claimed by resident 0.000 Where did water come in from?
Inside basement wall type?
☐ Cracks where water can seep through
☐ Is house low compared to others?
☐ House near exist. or old wtrcourse
Surface drainage conditions around house
Any visible storm water structure?
Downspouts discharge
Backwater Valve

Inspected

By	Date	Time	Resolution	Date	Time
----	------	------	------------	------	------

Scheduled Resources

Employee ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			

Equipment ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			

Vehicle ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			

Report Date 01/18/2017 08:27 AM

Submitted By

Page 1

Work Order #	706643	Activity	RESMTC	RESTORATION MAINTENANCE
--------------	--------	----------	--------	-------------------------

Hydrant ID	HY129892
------------	----------

Qualifier	BRIMLEY WENLOCK N4 30m NORTH OF EAGLEDANCE DR			
-----------	---	--	--	--

Area	4	WESD 4	District	EA41	Scarborough-Rouge River (41)
Sub-area			Location		
Map #	57Q-31				

Main Line	WND	WJ101703	WND	WJ101710	
Type					Packing
Paint Colour	YEL	Yellow			Paint Type
Feeder Type					Manufacturer
Feeder Length	0.000				Height
Feeder Diameter	0				Barrel Size
Serial #					Model #
Size of Outlets	0	0	0	0	
Service Status	ACTV	Active, In Use			
X Coord	321993.394				
Y Coord	4853724.896				
Z Coord					
Ownership	CITY	City of Toronto			
Pressure Zone	PD5	PD5			
Water Main	WND	WJ101703	To	WND	WJ101710
Budget #					

Initiated By	MMCCORR	MIKE	MCCORRY	Initiated Date	01/17/2013	Scheduled
Assigned To	EOM RES BASK	WO BASKET	EAST COMMUNITY C.	Service #	690526	Due

Authorization	HCOWIE	HUNTLEY COWIE
Budget #	PW3012	O&M EAST SRVS MTCE & REPR

Crew		
Maint Type		
Priority		
Problem		
Project		
Source	CSR	CUSTOMER SERVICE REQUEST
		Out of Service <input type="checkbox"/>
		Potential Service Request <input type="checkbox"/>

ActDefn Comments

Maintenance work performed on existing cuts that have been temporarily repaired. Waiting for final repair form Transportation.

Logs					
Log Type	Description	Log Date	To	Entered By	Comments
RESSOD	RESTORATION - SOD	06/11/2013 08:27		NVACCHI	Restoration sod completed
RESSOD	RESTORATION - SOD	03/26/2013 14:17		GMOORE3	2.5X3M of sod
WOREPT	WORK ORDER REPORT	01/17/2013 07:31		SYSTEM	

Report Date 01/18/2017 08:27 AM

Submitted By

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Work Order Comments

UOPLIC	UTILITY OPERATOR LICENSE	01/17/2013 07:31		SYSTEM	Enter additional information under the Operator License tab.
--------	--------------------------	------------------	--	--------	--

Operator License

Overall Responsible Operator	Lic. # WD
Operator in Charge	Lic. # WD
Operator in Charge (On Site)	Lic. # WD
Lic. Operator on site	Lic. # WD
Lic. Operator on site	Lic. # WD
Lic. Operator on site	Lic. # WD
Lic. Operator on site	Lic. # WD

SUPREP	SUPERVISORS REPORT	01/17/2013 07:31		MMCCORR	Brimley and Eagledance
--------	--------------------	------------------	--	---------	------------------------

Report Date 01/18/2017 08:27 AM

Submitted By

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Supervisor Report

Applications

A/P #	Template Type	A/P Type	Status	Last Stage
-------	---------------	----------	--------	------------

There are no applicatons associated with this work order

Spot Inspections

Spot Insp	UM	Completed	Description
-----------	----	-----------	-------------

There are no spot inspections for this work order

Completed Work Orders

Work Order #	Activity	Description	Completed	Comp By	Condition	Result	Quantity
1446899	HYDMI	HYDRANT MAINTENANCE/INSPECTION	01/17/2017	BZINGER			0.00
1335118	HYSMP	HYDRANT SUMMER PM	06/23/2016	AAMEYAW			0.00
1238711	HYDMI	HYDRANT MAINTENANCE/INSPECTION	01/20/2016	AMEANEY			0.00
1167804	HYSMP	HYDRANT SUMMER PM	09/01/2015	MTRIMBL			0.00
1053418	HYDMI	HYDRANT MAINTENANCE/INSPECTION	03/04/2015	BZINGER			0.00
942586	HYSMP	HYDRANT SUMMER PM	07/09/2014	YDHALIA	OK	RESOLVD	0.00
870332	HYDMI	HYDRANT MAINTENANCE/INSPECTION	01/29/2014	RBURTON		RESOLVD	1.00
801084	HYSMP	HYDRANT SUMMER PM	07/16/2013	SWOOD5			0.00
747041	HYDMI	HYDRANT MAINTENANCE/INSPECTION	03/26/2013	JDASILV4			0.00
706643	RESMTC	RESTORATION MAINTENANCE	06/11/2013	NVACCHI			0.00
702307	HYDREL	HYDRANT REPLACE/RELOCATE	03/22/2013	GMOORE3	OK	RESOLVD	1.00
658080	HYDREP	HYDRANT MAINTENANCE & REPAIR	08/24/2016	JCLARKE7		CANCELCD	0.00
658079	HYDVMR	HYD VALVE MAINT. AND REPAIRS	08/24/2016	JCLARKE7			0.00

TORONTO WATER

COMPLETED Hydrant Work Order

Report Date 01/18/2017 08:27 AM

Submitted By

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Work Order # 706643

Activity

RESMTC

RESTORATION MAINTENANCE

Completed Work Orders

Work Order #	Activity	Description	Completed	Comp By	Condition	Result	Quantity
658078	HYDPNT	HYDRANT PAINTING	08/24/2016	JCLARKE7			0.00
658077	HYSPM	HYDRANT SUMMER PM	08/24/2016	JCLARKE7			0.00
576492	HYDMI	HYDRANT MAINTENANCE/INSPECTION	03/13/2012	MLEFEBV			1.00
491564	HYSPM	HYDRANT SUMMER PM	09/15/2011	MMANDIC			1.00
443962	HYDMI	HYDRANT MAINTENANCE/INSPECTION	04/18/2011	HCOWIE			0.00
366709	HYSPM	HYDRANT SUMMER PM	06/10/2010	MMANDIC			1.00
316968	HYDMI	HYDRANT MAINTENANCE/INSPECTION	03/30/2010	MMANDIC			1.00
252080	HYSPM	HYDRANT SUMMER PM	01/14/2013	MJANUSZ			0.00
201165	HYDMI	HYDRANT MAINTENANCE/INSPECTION	02/13/2009	MMANDIC			1.00
155806	HYSPM	HYDRANT SUMMER PM	09/26/2008	DBOUCHER			0.00

Outstanding Work Orders

Work Order #	Activity	Description	Initiated Date	Initiated By	Scheduled	Due
1398238	HYDCOD	HYD FLOW - COLOUR RING INSTALL	10/21/2016	HFAGU	10/21/2016	11/20/2016

Safety Procedures
Message Description

Activity Comments

There are no safety messages for this asset. Please follow required safety procedures.

Activity ID	Initiated	Initiated By	Scheduled	Due	Assigned	Work Order #
RESMTC	01/17/2013	MMCCORR			EOM RES BASK	706643
HYDREL	01/09/2013	JWLADYC	01/09/2013		MMCCORR	702307

Primary Caller MR. TORONTO POLICE # 88005
AddressDay Phone
Reference #
CommentsEvening Phone 4168082222 x
Call Date 01/09/2013 09:46

Payload: additional_information / HYDRANT DAMAGED A CAR IS PARKED ON TOP, FROM TORONTO POLICE

Report Date 01/18/2017 08:27 AM

Submitted By

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Valving/Disinfection

WM Shutdown

WM Re-opened

Did the break cause damage to private property (Y/N)?

If "Yes", complete basement flooding report tab on CSR.

DISINFECTION INFORMATION:

Flushed from Hydrant #

Duration of flushing (minutes) 0

Was flow maintained until air gap created (Y/N)?

Category 1: NO evident/suspected contamination in pipe; pressure maintained (Y/N)?

Category 2: Contamination evident/suspected in pipe; depressurized/dewatered; Bacti Required (Y/N)?

All repair materials sprayed with 5% Sodium Hypochlorite solution for 30 minutes (Y/N)?

Excavation assessed to be free of Sewage or Chemical contamination (Y/N)?

*** If "No", attach "Record of Sampling" form following chlorination.***

Valve Operation Grid

Valve ID	Time Off	By Employee	Time On	By Employee	Comments
----------	----------	-------------	---------	-------------	----------

There are no items in this list

Started				Completed			
Date	Time	By		Date	Time	By	
06/11/2013	08:28	NVACCHI		06/11/2013	08:28		

Result	Condition	Quantity	Unit of Meas

Pressure

Data Group	Sign-off

Report Date 01/18/2017 08:26 AM

Submitted By

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Work Order #	702307	Activity	HYDREL	HYDRANT REPLACE/RELOCATE
--------------	--------	----------	--------	--------------------------

Hydrant ID	HY129892
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Qualifier	BRIMLEY WENLOCK N4 30m NORTH OF EAGLEDANCE DR
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Area	4	WESD 4	District	EA41	Scarborough-Rouge River (41)
Sub-area			Location		
Map #	57Q-31				

Main Line Type	WND	WJ101703	WND	WJ101710	Packing	
Paint Colour	YEL	Yellow			Paint Type	
Feeder Type					Manufacturer	MCAV MCAVITY
Feeder Length	0.000				Height	0
Feeder Diameter	0				Barrel Size	0
Serial #					Model #	CENT
Size of Outlets	0	0	0	0		
Service Status	ACTV	Active, In Use				
X Coord	321993.394				As Built	
Y Coord	4853724.896				Date Installed	
Z Coord						Parcel
Ownership	CITY	City of Toronto				Service Line ID
Pressure Zone	PD5	PD5				Shut-off Valve
Water Main	WND	WJ101703	To	WND	WJ101710	
Budget #						

Initiated By	JWLADYC	JIM	WLADYCZAK	Initiated Date	01/09/2013	Scheduled	01/09/2013 11:17
Assigned To	MMCCORR	MIKE	MCCORRY	Service #	690526	Due	

Authorization	SUPR	SUPERVISOR
Budget #	PW3013	O&M EAST HYDRANT & VALVE MTCE
Crew	GMOORE	GRANT MOORE
Maint Type	CORM	CORRECTIVE REPAIR & MAINT.
Priority	4	RESPOND WITHIN 48 HRS
Problem	HYDAM	HYDRANT - DAMAGE
Project		
Source	CSR	CUSTOMER SERVICE REQUEST

Out of Service	<input type="checkbox"/>
Potential Service Request	<input type="checkbox"/>

Work Order Comments

Hit Century hydrant opposite 3356 Brimley, north of Eagledance on the east side. No one was on site when I arrived, Hydrant is broken below the flange not leaking. Secondary valve is buried, hydrant needs to be repaired ASAP. Called dispatch to put hydrant out of service, reference #7356

ActDefn Comments

REFER TO TORONTO WATER PRATICIES MANUAL
 PRACTICE NO. 2.2 - VALVES AND HYDRANTS - MAINTENANCE AND REHABILITATION - WITH EXCAVATION
 3.2.4 Activity Checklist
 3.2.5 Equipment Requirements
 3.2.6 Special Conditions

Relocation of New Hydrant with same address

Production Unit: Number

Safety Messages:

Logs

Log Type	Description	Log Date	To	Entered By	Comments
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Report Date 01/18/2017 08:26 AM

Submitted By

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Work Order # 702307

Activity HYDREL

HYDRANT REPLACE/RELOCATE

Logs

Log Type	Description	Log Date	To	Entered By	Comments
WOREPT	WORK ORDER REPORT	03/22/2013 13:52		GMOORE3	Replaced fire hydrant opposite #3356 Brimley Rd. with a 7 1/2 ft. McAvity hydrant. Bacti sample taken from this location by G.Moore.

Work Order Comments

UOPLIC	UTILITY OPERATOR LICENSE	03/22/2013 10:00		GMOORE3	Enter additional information under the Operator License tab.
--------	--------------------------	------------------	--	---------	--

Operator License

Overall Responsible Operator RGILLIS Lic. # WD 10134
Operator in Charge MMCCORR Lic. # WD 4676
Operator in Charge (On Site) Lic. # WD
Lic. Operator on site GMOORE3 Lic. # WD 17651
Lic. Operator on site BBENEDICT Lic. # WD 17043
Lic. Operator on site MFLEMMING Lic. # WD 9309
Lic. Operator on site Lic. # WD

WOREPT	WORK ORDER REPORT	03/22/2013 08:00		GMOORE3	Dayshift crew on site to replace fire hydrant opposite #3356 Brimley Rd. Homeowners notified of shut down.
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Report Date 01/18/2017 08:26 AM

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Work Order Comments

WOREPT	WORK ORDER REPORT	03/21/2013 13:48		GMOORE3	Rogers locate cleared on East side of Brimley Rd. for fire hydrant replacement at 9:50 am as per South Dispatch / East Locates, G.Moore. Excavated for fire hyd. replacement,(7 1/2 - 8 ft.required). Boarded over and fenced off with cones and sidewalk signs - safe. Line valve to North, opposite #3500 Brimley Rd., shut off at 10:30 am by G.Moore (Lic.#17651).
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Work Order Comments

SUPREP	SUPERVISORS REPORT	01/16/2013 15:51		HCOWIE	Canada Valve hydrant needs traffic flange.The bottom barrel is broken. Needs to be excavated.
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Report Date 01/18/2017 08:26 AM

Submitted By

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Supervisor Report

SUPREP	SUPERVISORS REPORT	01/09/2013 21:11		SYSTEM	
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Supervisor Report

Applications

A/P #	Template Type	A/P Type	Status	Last Stage
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There are no applicatons associated with this work order

Report Date 01/18/2017 08:26 AM

Submitted By

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Work Order # 702307

Activity HYDREL

HYDRANT REPLACE/RELOCATE

Spot Inspections

Spot Insp	UM	Completed	Description
CHLRSF	MG/L	03/22/2013 13:48	CHLORINE RESIDUAL AFTER FLUSH
	Value	1.11	
	Insp Comments	Flushed and sampled from replaced fire hydrant in ,sod blvd., opposite #3356 Brimley Rd., by G.Moore. (Bacti sample taken.).	
TURBID	NTU	03/22/2013 13:48	TURBIDITY TEST
	Value	0.93	
	Insp Comments		

Completed Work Orders

Work Order #	Activity	Description	Completed	Comp By	Condition	Result	Quantity
1446899	HYDMI	HYDRANT MAINTENANCE/INSPECTION	01/17/2017	BZINGER			0.00
1335118	HYSMP	HYDRANT SUMMER PM	06/23/2016	AAMEYAW			0.00
1238711	HYDMI	HYDRANT MAINTENANCE/INSPECTION	01/20/2016	AMEANEY			0.00
1167804	HYSMP	HYDRANT SUMMER PM	09/01/2015	MTRIMBL			0.00
1053418	HYDMI	HYDRANT MAINTENANCE/INSPECTION	03/04/2015	BZINGER			0.00
942586	HYSMP	HYDRANT SUMMER PM	07/09/2014	YDHALIA	OK	RESOLVD	0.00
870332	HYDMI	HYDRANT MAINTENANCE/INSPECTION	01/29/2014	RBURTON		RESOLVD	1.00
801084	HYSMP	HYDRANT SUMMER PM	07/16/2013	SWOOD5			0.00
747041	HYDMI	HYDRANT MAINTENANCE/INSPECTION	03/26/2013	JDASILV4			0.00
706643	RESMTC	RESTORATION MAINTENANCE	06/11/2013	NVACCHI			0.00
702307	HYDREL	HYDRANT REPLACE/RELOCATE	03/22/2013	GMOORE3	OK	RESOLVD	1.00
658080	HYDREP	HYDRANT MAINTENANCE & REPAIR	08/24/2016	JCLARKE7		CANCELCD	0.00
658079	HYDVMR	HYD VALVE MAINT. AND REPAIRS	08/24/2016	JCLARKE7			0.00
658078	HYDPNT	HYDRANT PAINTING	08/24/2016	JCLARKE7			0.00
658077	HYSMP	HYDRANT SUMMER PM	08/24/2016	JCLARKE7			0.00
576492	HYDMI	HYDRANT MAINTENANCE/INSPECTION	03/13/2012	MLEFEBV			1.00
491564	HYSMP	HYDRANT SUMMER PM	09/15/2011	MMANDIC			1.00
443962	HYDMI	HYDRANT MAINTENANCE/INSPECTION	04/18/2011	HCOWIE			0.00
366709	HYSMP	HYDRANT SUMMER PM	06/10/2010	MMANDIC			1.00
316968	HYDMI	HYDRANT MAINTENANCE/INSPECTION	03/30/2010	MMANDIC			1.00
252080	HYSMP	HYDRANT SUMMER PM	01/14/2013	MJANUSZ			0.00
201165	HYDMI	HYDRANT MAINTENANCE/INSPECTION	02/13/2009	MMANDIC			1.00
155806	HYSMP	HYDRANT SUMMER PM	09/26/2008	DBOUCHER			0.00

Outstanding Work Orders

Work Order #	Activity	Description	Initiated Date	Initiated By	Scheduled	Due
1398238	HYDCOD	HYD FLOW - COLOUR RING INSTALL	10/21/2016	HFAGU	10/21/2016	11/20/2016

Safety Procedures
Message Description

Activity Comments

Report Date 01/18/2017 08:26 AM

Submitted By

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Work Order # 702307 Activity HYDREL HYDRANT REPLACE/RELOCATE

Safety Procedures
Message Description

Activity Comments

There are no safety messages for this asset. Please follow required safety procedures.

Activity ID	Initiated	Initiated By	Scheduled	Due	Assigned	Work Order #
RESMTC	01/17/2013	MMCCORR			EOM RES BASK	706643
HYDREL	01/09/2013	JWLADYC	01/09/2013		MMCCORR	702307

Primary Caller MR. TORONTO POLICE # 88005
Address

Day Phone

Evening Phone 4168082222 x

Reference #

Call Date 01/09/2013 09:46

Comments

Payload: additional_information / HYDRANT DAMAGED A CAR IS PARKED ON TOP, FROM TORONTO POLICE

Valving/Disinfection

WM Shutdown 03/21/2013 10:30

WM Re-opened 03/22/2013 13:45

Did the break cause damage to private property (Y/N)? ^N If "Yes", complete basement flooding report tab on CSR.

DISINFECTION INFORMATION:

Flushed from Hydrant # HY129892

Duration of flushing (minutes) 85

Was flow maintained until air gap created (Y/N)?

Category 1: NO evident/suspected contamination in pipe; pressure maintained (Y/N)? ^Y

Category 2: Contamination evident/suspected in pipe; depressurized/dewatered; Bacti Required (Y/N)?

All repair materials sprayed with 5% Sodium Hypochlorite solution for 30 minutes (Y/N)?

Excavation assessed to be free of Sewage or Chemical contamination (Y/N)? ^Y

*** If "No", attach "Record of Sampling" form following chlorination.***

Valve Operation Grid

Valve ID	Time Off	By Employee	Time On	By Employee	Comments
WV101632	03/21/2013 10:30	GMOORE3	03/22/2013 12:15	BBENEDICT	Opposite #3500 Brimley Rd.
WV101633	03/22/2013 09:20	BBENEDICT	03/22/2013 13:45	MFLEMMING	Brimley Rd. N/E cnr. of Eagledance Dr.

Report Date 01/18/2017 08:26 AM

Submitted By

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Work Order # 702307

Activity HYDREL

HYDRANT REPLACE/RELOCATE

Started				Completed							
Date	03/21/2013	Time	09:00	By	GMORE3	Date	03/22/2013	Time	14:00	Hours	8.50

Result	RESOLVD	Condition	OK	Quantity	1.00	Unit of Meas	
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Pressure	
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Data Group		Sign-off	
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Report Date 01/18/2017 08:14 AM

Submitted By

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Service # 854738
 Problem WSTOF WATER SERVICE LINE - TURN OFF
 Address 3356 BRIMLEY RD
 SC ON M1V-5B4

Call Date 04/20/2015 18:05 Priority 2 RESPOND WITHIN 8 HRS Duration of Call 00:00
 Taken By MSILVA2 SILVA, MANUEL Responsibility EOMS EAST COMMUNITY-SUPERVISOR # of Calls 1
 Source PHONE Project
☐ Customer Contact Requested Budget #
 Service Request Progress
 Schedule (resolved)
 Inspect Inspected from 04/20/2015 06:25 PM to 04/20/2015 06:56 PM by B WIFFEN WILLIAM WIFFEN
 Resolve Resolved at 04/20/2015 06:56 PM with code RES RESOLVED. No work orders are required.

Location TORONTO FIRE REQUESTED WATER TO BE TURNED OFF.

Area Sub-Area
 District EA41 Scarborough-Rouge River (41) Map # 56Q-33
 Parcel
 Template Type A/P #
 Asset

Primary Caller

Name Title
 First, MI
 Address
 City
 State/Province
 Country ☐ Foreign ZIP/PC
 E-Mail Reference #
 Day Phone Evening Phone
 Call Date 04/20/2015 18:05 Taken By MSILVA2

Call List

There are no additional callers for this service number

Contractor Cost	ID	Name	Usage	Cost
Charge Date		Comments		
Budget #				

There are no costs of this type for this service number

Equipment Cost	Type	ID	Usage	Cost
Charge Date		Comments		
Budget #				

There are no costs of this type for this service number

Extra Item Cost	Extra Item	Description	Quantity	Cost
Charge Date		Comments		
Budget #				

There are no costs of this type for this service number

Labour Cost	Crew Type	Job Class	Employee ID	Name/Description	Pay Type	Hours	Cost
Charge Date							
Budget #		Comments					

There are no costs of this type for this service number

Report Date 01/18/2017 08:14 AM

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Material Cost	Stock Area	Part Number	Part Description	Quantity	Cost
Charge Date		Comments			
Budget #					

There are no costs of this type for this service number

Tool Cost	Tool	Description	Quantity	Cost
Charge Date		Comments		
Budget #				

There are no costs of this type for this service number

Vehicle Cost	Type	ID	Usage	Cost
Charge Date		Comments		
Budget #				

There are no costs of this type for this service number

A/P	A/P #	A/P Type	Status	Stage
Template Type				

There are no linked AP entries for this service number

Log	Description	Log Started	Log Ended	Entered By
Log Type				
Comments				

SUPREP	SUPERVISORS REPORT	04/21/2015 08:25		FCASCIA
Hansen CSR has been reviewed for proper completion.				
FRRSRP	1ST RESPONSE/INSPECTOR'S REPT	04/20/2015 18:25	04/20/2015 18:56	BWIFFEN
see s/r 854732 for more info.				
turned water off,marked service.				
3-1-1	311 RELATED	04/20/2015 18:05		311AGENT
311 Reference Number: 101003294950				

Linked requests

Service #	Problem	Problem Date	Address
Location			

There are no linked requests for this service number

Report Date 01/18/2017 08:14 AM

Submitted By

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Base. Flood. Report

Main line type Storm Event (dd/mm/yyyy) Was there surface flooding? Street (Y/N)?
Was there basement flooding (Y/N)? Type of water in basement Property (Y/N)?
Maintenance hole surcharged while on site (Y/N)? If "No", were there signs of surcharge (Y/N)?
Max height of surcharge (measure from mh rim - metres)
Depth of basement to: A) Bottom of window (metres) 0.000 Time water entered basement
B) Ground surface (metres) 0.000 Time water finally cleared
How much water in basement A) Observed 0.000 Time water was deepest
(metres)? B) Claimed by resident 0.000 Where did water come in from?
Inside basement wall type?
☐ Cracks where water can seep through
☐ Is house low compared to others?
☐ House near exist. or old wtrcourse
Surface drainage conditions around house
Any visible storm water structure?
Downspouts discharge
Backwater Valve

Inspected

Resolution

By	Date	Time	Code	Date	Time

Scheduled Resources

Employee ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			

Equipment ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			

Vehicle ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			

Report Date 01/18/2017 08:13 AM

Submitted By

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Service # 755351
 Problem CBD CATCHBASIN(STORM) - DAMAGE
 Address 3356 BRIMLEY RD
 SC ON M1V-5B4

Call Date 01/10/2014 11:50 Priority 3 RESPOND WITHIN 24 HRS Duration of Call 00:00
 Taken By 311AGENT AGENT, 311 Responsibility EOMS EAST COMMUNITY-SUPERVISOR # of Calls 1
 Source VOICE Project
☐ Customer Contact Requested Budget #
 Service Request Progress
 Schedule (resolved)
 Inspect Overdue for inspection as of 01/11/2014 11:50 AM.
 Resolve Resolved at 01/10/2014 12:00 PM with code CANCD CANCELLED. No work orders are required.

Location PORT ROYAL TRL AND BRIMLEY RD, TORONTO (, SCARBOROUGH); SOUTH BRIMLEY, JUST SOUTH OF THE NORT LEG OF PORT ROYAL
 Area Sub-Area
 District EA41 Scarborough-Rouge River (41) Map # 56Q-33
 Parcel
 Template Type A/P #
 Asset

Primary Caller

Name WALL
 First,MI GEORGE, Title MR.
 Address
 City
 State/Province
 Country ☐ Foreign ZIP/PC
 E-Mail Reference #
 Day Phone Evening Phone 4166889495 x
 Call Date 01/10/2014 11:50 Taken By 311AGENT
 Comments
 Payload: additional_information / FIELD INVESTIGATOR CALLED TO SAY THERE IS A SUNKEN STORM SEWER. HE LFT A CONE TO MARK THE AREA ; division /
 TRANSPORTATION; title / FIELDINVESTIGATOR; lname / G WALL

Call List

There are no additional callers for this service number

Contractor Cost

Charge Date	ID	Name	Usage	Cost
Budget #		Comments		

There are no costs of this type for this service number

Equipment Cost

Charge Date	Type	ID	Usage	Cost
Budget #		Comments		

There are no costs of this type for this service number

Extra Item Cost

Charge Date	Extra Item	Description	Quantity	Cost
Budget #		Comments		

There are no costs of this type for this service number

Report Date 01/18/2017 08:13 AM

Submitted By

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Labour Cost	Crew Type	Job Class	Employee ID	Name/Description	Pay Type	Hours	Cost
Charge Date							
Budget #		Comments					

There are no costs of this type for this service number

Material Cost	Stock Area	Part Number	Part Description	Quantity	Cost
Charge Date					
Budget #		Comments			

There are no costs of this type for this service number

Tool Cost	Tool	Description	Quantity	Cost
Charge Date				
Budget #		Comments		

There are no costs of this type for this service number

Vehicle Cost	Type	ID	Usage	Cost
Charge Date				
Budget #		Comments		

There are no costs of this type for this service number

A/P	A/P #	A/P Type	Status	Stage
Template Type				

There are no linked AP entries for this service number

Log	Description	Log Started	Log Ended	Entered By
Log Type				
Comments				

ASSET	ASSET INFORMATION	01/10/2014 12:01		JDEFRAN
ASSET	ASSET INFORMATION Cancel call see SR#755335.	01/10/2014 12:01		JDAVIS
3-1-1	311 RELATED 311 Reference Number: 101002475836	01/10/2014 11:50		311AGENT

Linked requests	Problem	Problem Date	Address
Service #			
Location			

There are no linked requests for this service number

Report Date 01/18/2017 08:13 AM

Submitted By

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Base Flood Report

Main line type	Storm Event (dd/mm/yyyy)	Was there surface flooding?	Street (Y/N)?
Was there basement flooding (Y/N)?	Type of water in basement		Property (Y/N)?
Maintenance hole surcharged while on site (Y/N)?	If "No", were there signs of surcharge (Y/N)?		
Max height of surcharge (measure from mh rim - metres)			
Depth of basement to:	A) Bottom of window (metres) 0.000	Time water entered basement	
	B) Ground surface (metres) 0.000	Time water finally cleared	
How much water in basement (metres)?	A) Observed 0.000	Time water was deepest	
	B) Claimed by resident 0.000	Where did water come in from?	
Inside basement wall type?			
<input type="checkbox"/> Cracks where water can seep through			
<input type="checkbox"/> Is house low compared to others?			
<input type="checkbox"/> House near exist. or old wtrcourse			
Surface drainage conditions around house			
Any visible storm water structure?			
Downspouts discharge			
Backwater Valve			

Inspected

Resolution

By		Date		Time		Code		Date		Time	
----	--	------	--	------	--	------	--	------	--	------	--

Scheduled Resources

Employee ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			
Equipment ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			
Vehicle ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			

Report Date 01/18/2017 08:12 AM

Submitted By

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Service # 690526
Problem HYDAM HYDRANT - DAMAGE
Address 3356 BRIMLEY RD
SC ON M1V-5B4

Call Date 01/09/2013 09:46 Priority 1 RESPOND WITHIN 4 HRS Duration of Call 00:00
Taken By 311AGENT AGENT, 311 Responsibility EOMS EAST COMMUNITY-SUPERVISOR # of Calls 1
Source VOICE Project
☐ Customer Contact Requested Budget #
Service Request Progress
Schedule (resolved)
Inspect Inspected from 01/09/2013 10:30 AM to 01/09/2013 11:00 AM by JWLADYC JIM WLADYCZAK.
Resolve Resolved at 01/09/2013 11:00 AM with code RES RESOLVED. Additional work orders have been completed.

Location BRIMLEY RD AND EAGLEDANCE DR, TORONTO (, SCARBOROUGH)
Area
District EA41 Scarborough-Rouge River (41) Sub-Area
Parcel Map # 56Q-33
Template Type A/P #
Asset

Primary Caller

Name POLICE # 88005 Title MR.
First,MI TORONTO,
Address
City
State/Province
Country ☐ Foreign ZIP/PC
E-Mail Reference #
Day Phone Evening Phone 4168082222 x
Call Date 01/09/2013 09:46 Taken By 311AGENT
Comments
Payload: additional_information / HYDRANT DAMAGED A CAR IS PARKED ON TOP, FROM TORONTO POLICE

Call List

There are no additional callers for this service number

Contractor Cost				
Charge Date	ID	Name	Usage	Cost
Budget #		Comments		

There are no costs of this type for this service number

Equipment Cost				
Charge Date	Type	ID	Usage	Cost
Budget #		Comments		

There are no costs of this type for this service number

Extra Item Cost				
Charge Date	Extra Item	Description	Quantity	Cost
Budget #		Comments		

There are no costs of this type for this service number

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Labour Cost	Crew Type	Job Class	Employee ID	Name/Description	Pay Type	Hours	Cost
Charge Date							
Budget #		Comments					

There are no costs of this type for this service number

Material Cost	Stock Area	Part Number	Part Description	Quantity	Cost
Charge Date					
Budget #		Comments			

There are no costs of this type for this service number

Tool Cost	Tool	Description	Quantity	Cost
Charge Date				
Budget #		Comments		

There are no costs of this type for this service number

Vehicle Cost	Type	ID	Usage	Cost
Charge Date				
Budget #		Comments		

There are no costs of this type for this service number

Work Orders	Activity	Asset	Act Type	Act Group	Initiated	Scheduled	Completed	Source	Maint Type
Work Order #	Problem	Project	Fr Type	Unit ID		To Type	Unit ID		#
Priority									

702307	HYDREL	HY			01/09/2013	01/09/2013	03/22/2013	CSR	CORM
4	HYDAM			HY129892					

Costs					
Charge Date	Type	Item	Description	Qty/Usage	Cost
03/22/2013 14:00	Labour	MFLEMMING/TW0185	FLEMMING, MICHAEL	5.50	
03/22/2013 14:00	Labour	BBENEDICT/TW0185	BENEDICT, BRAD	5.50	
03/22/2013 14:00	Labour	MLEFEBV/TW0031	LEFEBVRE, MIKE	5.00	
03/22/2013 14:00	Labour	GCANCA/TW0186	CANCA, GEORGE	3.00	
03/22/2013 14:00	Labour	GMOORE3/TW0184	MOORE, GRANT	5.50	
03/21/2013 12:00	Labour	SGARVIN/TW0185	GARVIN, STEVE	3.00	
03/21/2013 12:00	Labour	PTROUT/TW0031	TROUT, PHILIP	3.00	
03/21/2013 12:00	Labour	SCOLLIN/TW0186	COLLINS, SHAWN	3.00	
03/21/2013 12:00	Labour	GMOORE3/TW0184	MOORE, GRANT	3.00	
				Total	
03/22/2013 14:00	Material	800005303	AGGREGATES, LIMESTONE, CRUSH.RU	2.00	16.66
03/22/2013 14:00	Material	KHY7FT6INCWVB	7' 6" HYDRANT KIT C/W VALVE &	1.00	1886.54
03/22/2013 14:00	Material	800005305	AGGREGATES, SAND, BRICK, PER T	20.00	110.00
				Total	2013.20
03/22/2013 14:00	Vehicle	322049	LOADER - BACKHOE	4.00	194.80
03/22/2013 14:00	Vehicle	188020	CLASS 8 TRUCK DUMP - TANDEM AX	4.00	282.60
03/22/2013 14:00	Vehicle	176021	CLASS 8 TRUCK DUMP - TANDEM AX	2.50	176.63
03/22/2013 14:00	Vehicle	135117	CLASS 4/5 VAN - CUBE	5.50	192.50
03/21/2013 12:00	Vehicle	322040	LOADER - BACKHOE	2.00	71.90
03/21/2013 12:00	Vehicle	188007	CLASS 8 TRUCK DUMP - TANDEM AX	2.00	141.30
03/21/2013 12:00	Vehicle	135117	CLASS 4/5 VAN - CUBE	3.00	105.00
				Total	1164.73

706643	RESMTC	HY			01/17/2013	06/11/2013	CSR
				HY129892			

Report Date 01/18/2017 08:12 AM

Submitted By

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A/P	Template Type	A/P #	A/P Type	Status	Stage
There are no linked AP entries for this service number					

Log Log Type Comments	Description	Log Started	Log Ended	Entered By
SUPREP	SUPERVISORS REPORT	01/09/2013 10:51		JWLADYC
Hit Century hydrant opposite 3356 Brimley, north of Eagledance on the east side. No one was on site when I arrived, Hydrant is broken below the flange not leaking. Secondary valve is buried, hydrant needs to be repaired ASAP. Called dispatch to put hydrant out of service, reference #7356. I will make up a work order for repairs.				
3-1-1	311 RELATED	01/09/2013 09:46		311AGENT
311 Reference Number: 101001872025				

Linked requests

Service #	Problem	Problem Date	Address
Location			

There are no linked requests for this service number

Base. Flood. Report

Main line type Storm Event (dd/mm/yyyy) Was there surface flooding? Street (Y/N)?
Was there basement flooding (Y/N)? Type of water in basement Property (Y/N)?
Maintenance hole surcharged while on site (Y/N)? If "No", were there signs of surcharge (Y/N)?
Max height of surcharge (measure from mh rim - metres)
Depth of basement to: A) Bottom of window (metres) 0.000 Time water entered basement
B) Ground surface (metres) 0.000 Time water finally cleared
How much water in basement A) Observed 0.000 Time water was deepest
(metres)? B) Claimed by resident 0.000 Where did water come in from?
Inside basement wall type?
☐ Cracks where water can seep through
☐ Is house low compared to others?
☐ House near exist.or old wtrcourse Surface drainage conditions around house
Any visible storm water structure?
Downspouts discharge
Backwater Valve

Inspected				Resolution			
By	Date	Time		Code	Date	Time	

Scheduled Resources

Employee ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			
Equipment ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			
Vehicle ID	Scheduled Start	Scheduled End	Work Description
No resources scheduled.			

INVESTIGATION CARD

Assigned to:	Folder Number:	Work Description:
Choi, Peter	13 204390 PRS 00 IR	Property Standards

Owner:	Phone Number:	Address:
[REDACTED]	[REDACTED]	[REDACTED]
Section 14(1) applied		3356 BRIMLEY RD TORONTO, ON M1V 5B4 CAN

SUBJECT PROPERTY

In Date:	Address:	Folder Unit:	Area:
July 15, 2013	3356 BRIMLEY RD CON 5 PT LOT 25 NOW RP 66R12397 PART 1		E4101

Folder Name:	3356 BRIMLEY RD - E4101 - NO FURTHER ACTION REQUIRED		
Description:	Conditions:		
property_issue = N/A	Location: list of problems- pilot light always goes out on hot water heater, leaking faucets in laundry room, maggots coming from vent into bathroom believe some sort of dead animal (bad smell) and fridge not working properly		

Reference No.:	Complaint Date:	Priority:	Completion Date:
311#:101002192365	July 15, 2013		

DATE	COMMENTS	INSP

For possible court action, all notations are to be accurate, concise and legible.

Printed Date: Jan 09, 2017 9:42 AM

INVESTIGATION CARD

Assigned to:	Folder Number:	Work Description:
	13 204390 PAS 00 IR	Property Standards
SOURCE OF COMPLAINT		

Printed Date: Jan 09, 2017 9:42 AM

Folder Status: Closed
 Folder No: 20 13 204390 PRS 00 IR
 Sub Folder Type:
 Property Address: 3356 BRIMLEY RD
 Folder Name: 3356 BRIMLEY RD -- E4101 -- NO FURTHER ACTION REQUIRED
 Description: property_issue=N/A
 Current/Last Assigned User: Peter Choi
 Folder In Date: Jul 15, 2013
 Work Proposed: Property Standards
 Unit No:

Process Date (mm/dd/yy)	Investigation Process	Process Action	Action Date	Attendance/ Inspection Date	Findings/Observations	Assigned User	Logged User	Process Sign-off User
07/15/13	Receive Complaint	Forward to Investigator	07/15/13		Section 14(1) applied	311 Customer Service Rep	311 Customer Service Rep	311 Customer Service Rep
07/15/13	Investigation Results - Property Std	Inspection Rescheduled	07/17/13		<p>Call to [REDACTED] for further information. [REDACTED] advised that [REDACTED] house is owned by [REDACTED]. He has not provided the owner with list of required repairs. I have asked that he do so and will follow up within month to see if any repairs made before inspection occurs.</p> <p>Spoke to [REDACTED]. [REDACTED] advised her that a letter will be issued regarding the required repairs from [REDACTED] and that they should contact Landlord/Tenant for further advice on how to proceed.</p> <p>Had a lengthy discussion with [REDACTED]. [REDACTED] She will forward me a copy for the file. She has to date not received anything from [REDACTED] regarding any deficiencies that need repair.</p> <p>Spoke to [REDACTED]. We discussed that after that time, he will be given 24 hours notice and I will attend property along with [REDACTED] to determine if their are by-law violations. Complainant indicated that he will have Police presence as well.</p> <p>[REDACTED] Agreed to give [REDACTED] till end of month to provide me with copy of letter and lease.</p>	Sangliulano, Elena	Sangliulano, Elena	Sangliulano, Elena
08/30/13	Investigation Results - Property Std	Inspection Rescheduled	10/09/13			Sangliulano, Elena	Sangliulano, Elena	Sangliulano, Elena

Folder Status: Closed
Folder No: 20 13 204390 PRS 00 IR
Sub Folder Type:
Property Address: 3356 BRIMLEY RD
Folder Name: 3356 BRIMLEY RD - E4101 - NO FURTHER ACTION REQUIRED
Description: property_issue=N/A

Current/Last Assigned User: Peter Choi
Folder in Date: Jul 15, 2013
Work Proposed: Property Standards
Unit No:

Process Date (mm/dd/yy)	Investigation Process	Process Action	Action Date	Attendance/ Inspection Date	Findings/Observations	Assigned User	Logged User	Process Sign-off User
10/31/13	Investigation Results - Property Std	No Further Action Required	04/03/14	04/03/14	-	Choi, Peter	Choi, Peter	Choi, Peter

Section 14(1) applied

Appendix B

MOTION TIMELINE
In the Matter of the Estate of Paul Zigomanis, Deceased
Court File No.: 05-145/15

DATE: February 9, 2017

PARTIES INVOLVED: **Lincoln Caylor/Grace McKeown, Bennett Jones** – Counsel for Jonathan Cooperman, the Estate Trustee During Litigation (the "ETDL")

Neil Colville-Reeves/Andrew Mercer, Samis + Company – Counsel for Certas Home and Auto Insurance

Michael Van Dusen, Van Dusen Law – Counsel for Allstate Insurance Company of Canada

Mary-Anne Strong/Morgan Cassidy, Beckett Personal Injury – Counsel for Giovanni Zambri

Consky and Associates – Counsel for Anna Chang (collectively, the "Responding Parties")

	ACTION	DATE
1	ETDL to clarify relief sought (if necessary)	Friday, January 13 (completed)
2	Responding Parties to submit queries to ETDL	Tuesday, January 17 (completed)
3	ETDL to serve and file Supplementary Report responding to queries from Responding Parties	Friday, January 27 (if possible, depending on information sought and its availability to ETDL) (completed)
4	9:30 Appointment before Justice Wilton-Siegel	Tuesday, January 31 (completed)
5	ETDL to serve and file amended factum	Friday, February 10
6	Responding Parties to serve and file revised factum(s)	Monday, May 8
7	ETDL to serve and file reply factum	Thursday, May 18
8	Motion hearing	Wednesday, May 24

Appendix C

Peter Crawley

From: Grace McKeown <McKeownG@bennettjones.com>
Sent: January 27, 2017 12:21 PM
To: Andrew Mercer; Morgan Cassidy; Michael Van Dusen; Duncan Read
Cc: Lincoln Caylor; Angela Casey; Jonathan Cooperman; Peter Crawley
Subject: In the Matter of the Estate of Paul Zigomanis, CV 05-145/15
Attachments: RE: In the Matter of the Estate of Paul Zigomanis, CV 05-145/15 - Timeline; RE: Monarch Homes construction records; Zigomanis - Draft Timeline.DOCX

All,

In connection with the circulated timetable, it was proposed that the Trustee serve and file a supplemental report by January 27 containing additional information it had obtained and any information requested by the responding parties. The report was contingent on the information sought and its availability to the Trustee. Based on the limited information obtained to date, the Trustee is not in a position to file a comprehensive supplemental report. In lieu of a report, below is an update on the Trustee's actions and the information it has obtained.

The Trustee received one request from Samis+Co for additional information, which included a request for any documents that would have been submitted to the Landlord and Tenant Board, any decisions rendered, and any correspondence that might have been exchanged between the landlord and tenant, or their counsel. The Trustee has contacted the Landlord Tenant Tribunal and was informed that they have no record of any complaints at 3356 Brimley. The Trustee then contacted Municipal Standards at the City of Toronto and are currently awaiting their response to the formal Freedom of Information request. Once in receipt of that information (if any), the Trustee expects to be able to provide a response. Attached is the email correspondence between the Trustee and Samis+Co.

The Trustee contacted Mattamy Homes (which bought Monarch Construction) on January 4 in regards to the timing of the construction of 3356 Brimley. Mattamy Homes provided the following information relevant to 3356 Brimley: "Enrolment # 647058, enrolled on 10/31/1990, closed on 03/21/1991, final selling price \$435,000.00". Mattamy informed the Trustee that they were no longer able to access records which would indicate the timing of construction. Attached is the email correspondence between the Trustee and Mattamy Homes.

Depending on the availability of further information, the Trustee may not have anything new to report on prior to the motion.

As per the timetable (attached), the next step after the 9:30 Appointment on Tuesday, January 31st, is for the Trustee to serve and file an updated factum by February 3. Please let us know if you have any questions in regards to the above.

Thank you,
Grace



Grace McKeown
Associate | Litigation, Bennett Jones LLP

3400 One First Canadian Place, P.O. Box 130, Toronto, ON, M5X 1A4
P. 416 777 5493 | F. 416 863 1716
E. mckeowng@bennettjones.com

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Peter Crawley

From: Andrew Mercer <amercer@samislaw.com>
Sent: January 20, 2017 9:29 AM
To: Peter Crawley
Cc: Grace McKeown
Subject: RE: In the Matter of the Estate of Paul Zigomanis, CV 05-145/15 - Timeline

Thank you.

Andrew

From: Peter Crawley [mailto:pcrawley@farberfinancial.com]
Sent: January-20-17 9:25 AM
To: Andrew Mercer
Cc: Grace McKeown
Subject: RE: In the Matter of the Estate of Paul Zigomanis, CV 05-145/15 - Timeline

Ok, thanks Andrew.

We obtained the term "landlord tenant" from Alex Procope's notes (from his discussions with Paul).
I called the Landlord Tenant Tribunal and they had no record of any complaints at 3356 Brimley.

I then contacted Municipal Standards at the City of Toronto. We are awaiting the City of Toronto's response to our formal Freedom of Information request. Once I have that response we will be able to give you a more fulsome response.

Regards
Peter

From: Andrew Mercer [mailto:amercer@samislaw.com]
Sent: Friday, January 20, 2017 8:36 AM
To: Grace McKeown; Peter Crawley
Subject: RE: In the Matter of the Estate of Paul Zigomanis, CV 05-145/15 - Timeline

Thank you, Grace.

Peter, I am looking for any documents that would have been submitted to the Landlord and Tenant Board, any decisions rendered, and any correspondence that might have been exchanged between the landlord and tenant, or their counsel.

Thank you,

Andrew

From: Grace McKeown [mailto:McKeownG@bennettjones.com]
Sent: January-19-17 7:00 PM
To: Andrew Mercer
Cc: Peter Crawley
Subject: RE: In the Matter of the Estate of Paul Zigomanis, CV 05-145/15 - Timeline

Hi Andrew,

I'm happy for you to email directly with Peter on this issue keeping me cc'd on any responses.

Thanks,
Grace



Grace McKeown
Associate | Litigation, Bennett Jones LLP

3400 One First Canadian Place, P.O. Box 130, Toronto, ON, M5X 1A4
P. 416 777 5493 | F. 416 863 1716
E. mckeowng@bennettjones.com

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From: Peter Crawley [<mailto:pcrawley@farberfinancial.com>]
Sent: 19 January 2017 6:22 PM
To: Andrew Mercer <amercer@samislaw.com>
Cc: Grace McKeown <McKeownG@bennettjones.com>
Subject: In the Matter of the Estate of Paul Zigomanis, CV 05-145/15 - Timeline

Hi Andrew,

I've cc'd our counsel, Grace McKeown, herein.

I wanted to open up the communication channel on the issue of the "Landlord/tenant matter" that you referred to in your email yesterday afternoon to Grace.
I know we spoke about it in Court last week. However, in the interest of clarity, please specify what documents you are expecting us to provide on that issue.

Thanks
Peter

Peter Crawley, MBA, CPA, CA, CIRP
Vice President
Direct: 416.496.3507 | Mobile: 416.500.0780
Email: pcrawley@farberfinancial.com
Connect via [LinkedIn](#)
Visit us at www.farberfinancial.com



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<http://www.bennettjones.com/unsubscribe>

Peter Crawley

From: Scott Bullard <Scott.Bullard@mattamycorp.com>
Sent: January 12, 2017 3:55 PM
To: Peter Crawley
Cc: Jonathan Cooperman
Subject: RE: Monarch Homes construction records

Hi Peter,

No this is simply when the enrolment with Tarion first occurred, unfortunately we no longer have access to a shovel in the ground date.

Kind regards,

Scott Bullard
Senior Warranty Manager



Scott Bullard
Senior Warranty Manager
T (905) 907-8324 (direct). F (905) 907-8300. scott.bullard@mattamycorp.com
Corporate Office: 7880 Keele Street, Suite #300, Vaughan, Ontario, L4K 4G7

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From: Peter Crawley [<mailto:pcrawley@farberfinancial.com>]
Sent: Thursday, January 12, 2017 3:04 PM
To: Scott Bullard
Cc: Jonathan Cooperman
Subject: RE: Monarch Homes construction records

Scott,
Thanks very much for tracking this information down.

Just so I understand is the enrolment date the day the "shovel went in the ground"?

Regards
Peter

From: Scott Bullard [<mailto:Scott.Bullard@mattamycorp.com>]
Sent: Thursday, January 12, 2017 2:51 PM
To: Peter Crawley
Cc: Jonathan Cooperman
Subject: RE: Monarch Homes construction records

Hi Peter,

Here is the information I was able to gather from Tarion regarding this home.

Enrolment # 647058, enrolled on 10/31/1990, closed on 03/21/1991, final selling price \$435,000.00

I hope this helps.

Kind regards,

Scott Bullard
Senior Warranty Manager



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From: Peter Crawley [<mailto:pcrawley@farberfinancial.com>]
Sent: Thursday, January 12, 2017 1:47 PM
To: Scott Bullard
Cc: Jonathan Cooperman
Subject: Re: Monarch Homes construction records

Hi Scott
Thanks for the update.
Regards
Peter

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Scott Bullard <Scott.Bullard@mattamycorp.com>
Date: 2017-01-12 1:14 PM (GMT-05:00)
To: Peter Crawley <pcrawley@farberfinancial.com>
Subject: RE: Monarch Homes construction records

Hi Peter,

I apologize for the delay. There is nothing on our current files regarding the closing date; we are attempting one more avenue to get this information. I should know by tomorrow if we have it.

Kind regards,

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Senior Warranty Manager



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From: Peter Crawley [<mailto:pcrawley@farberfinancial.com>]
Sent: Tuesday, January 10, 2017 5:29 PM
To: Scott Bullard
Subject: RE: Monarch Homes construction records

Hi Scott,
Just a quick followup to see if you've had any luck tracking down Monarch records.
Thanks
Peter

From: Peter Crawley
Sent: January 4, 2017 4:45 PM
To: scott.bullard@mattamycorp.com
Subject: Monarch Homes construction records

Hi Scott,

Thanks for calling me back.

We are the court-appointed estate trustee during litigation in respect of Paul Zigomanis (deceased). Paul passed away when the home he was living in was destroyed by a natural gas explosion on April 20, 2015. We were appointed on October 14, 2015. A copy of our appointment order is attached.

Mr. Zigomanis lived at 3356 Brimley Road, Scarborough. We understand that the home was built by Monarch sometime in 1990/1991.

Would you, on behalf of Monarch, be able to advise us when the house was constructed (start – finish) ?

Thanks for your assistance.
Peter

Peter Crawley, MBA, CPA, CA, CIRP
Vice President
Direct: 416.496.3507 | Mobile: 416.500.0780
Email: pcrawley@farberfinancial.com

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MOTION TIMELINE
In the Matter of the Estate of Paul Zigomanis, Deceased
Court File No.: 05-145/15

DATE: January 10, 2017

PARTIES INVOLVED: **Lincoln Caylor/Grace McKeown, Bennett Jones** – Counsel for Jonathan Cooperman, the Estate Trustee During Litigation (the "ETDL")

Neil Colville-Reeves/Andrew Mercer, Samis + Company – Counsel for Certas Home and Auto Insurance

Michael Van Dusen, Van Dusen Law – Counsel for Allstate Insurance Company of Canada

Mary-Anne Strong/Morgan Cassidy, Beckett Personal Injury – Counsel for Giovanni Zambri (collectively, the "**Responding Parties**")

	ACTION	DATE
1	ETDL to clarify relief sought (if necessary)	Friday, January 13
2	Responding Parties to submit queries to ETDL	Tuesday, January 17
3	ETDL to serve and file amended factum	Week of January 30
4	ETDL to serve and file Supplementary Report responding to queries from Responding Parties	Friday, January 27 (if possible, depending on information sought and its availability to ETDL)
5	9:30 Appointment before Justice Wilton-Siegel	Tuesday, January 31
6	Responding Parties to serve and file revised factum(s)	Week of January 30
7	ETDL to serve and file reply factum	At least 4 days before hearing
8	Motion Hearing	TBD

Appendix D

Peter Crawley

From: Scott Bullard <Scott.Bullard@mattamycorp.com>
Sent: January 12, 2017 3:55 PM
To: Peter Crawley
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Hi Peter,

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Senior Warranty Manager



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T (905) 907-8324 (direct). F (905) 907-8300. scott.bullard@mattamycorp.com
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Scott Bullard
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Subject: Monarch Homes construction records

Hi Scott,

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We are the court-appointed estate trustee during litigation in respect of Paul Zigomanis (deceased). Paul passed away when the home he was living in was destroyed by a natural gas explosion on April 20, 2015. We were appointed on October 14, 2015. A copy of our appointment order is attached.

Mr. Zigomanis lived at 3356 Brimley Road, Scarborough. We understand that the home was built by Monarch sometime in 1990/1991.

Would you, on behalf of Monarch, be able to advise us when the house was constructed (start – finish) ?

Thanks for your assistance.
Peter

Peter Crawley, MBA, CPA, CA, CIRP
Vice President
Direct: 416.496.3507 | Mobile: 416.500.0780
Email: pcrawley@farberfinancial.com

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Appendix E

March 27, 2017

<<Address>>

Dear Sirs/Mmes:

Re: The Estate of Paul Zigomanis and Notice of Pending Limitation Period

Paul Zigomanis died in the explosion of 3356 Brimley Road on April 20, 2015. On October 14, 2015, Jonathan Cooperman was appointed by the Superior Court of Justice to be the Estate Trustee During Litigation (the "Trustee") regarding the death of Mr. Zigomanis, his estate and the explosion. The Trustee has identified you as a potential claimant due to the explosion.

If you have a claim, a potential claim or other interest regarding the death of Mr. Zigomanis or 3356 Brimley Road, you should be aware that the two (2) year limitations period to commence a claim against the Estate of Paul Zigomanis will expire on April 20, 2017 (which is two years from the date of the explosion at 3356 Brimley Road on April 20, 2015).

If you wish to pursue a claim against the Estate of Paul Zigomanis, you should do the following:

- a) Contact the Trustee to provide notice and a copy of the draft claim. By Order of the Superior Court of Justice, all claimants are stayed from commencing a claim against the Estate of Paul Zigomanis without leave of the Court or the written consent of the Trustee. Once notified of the claim, the Trustee will review the draft claim and, on the condition that no action other than filing the claim with the court is taken, the Trustee will provide written consent to file the claim. This will preserve your rights pursuant to the *Limitations Act, 2002*, SO 2002, c 24 Sch B; and
- b) File a Notice of Action or Statement of Claim with the Superior Court of Justice on or before April 20, 2017.

Potential claimants should be aware that on expiry of the limitation period, the right to sue may be extinguished.

Potential claimants are advised to contact the Trustee or its counsel, Bennett Jones, to deal with this matter in a timely manner well before April 20, 2017. Contact details for each are as follows:

Trustee - Peter Crawley (416) 496-3507 or pcrawley@farberfinancial.com
Bennett Jones - Grace McKeown (416) 777-5493 or mckeowng@bennettjones.com

Further information about previous and upcoming legal proceedings relating to the Estate of Paul Zigomanis, including the Trustee's upcoming motion on May 24, 2017, can be found online at <http://www.farberfinancial.com/zigomanis>.

This notice does not constitute legal advice or other professional advice and potential stakeholders and claimants should consult their own legal advisors.

Yours truly,

**Jonathan Cooperman of A. Farber & Partners Inc., estate trustee
during litigation of the Estate of Paul Zigomanis**

Per: Peter Crawley, MBA, CPA, CA, CIRP, LIT

Cc: Grace McKeown of Bennett Jones LLP, mckeowng@bennettjones.com

Mail List - Notice of Pending Limitation Period

ESTATE OF ZIGOMANIS P

1. Occupant, 18 Hambleton Court, Scarborough, ON M1V 4P4
 2. Occupant, 3364 Brimley Road, Scarborough, ON M1V 4X6
 3. Andrew Liu & Susanna Tsui, 15 Scoville Square, Scarborough, ON M1V 5L7
 4. Varkey & Vasanthadevi Abraham, 9 Scoville Square, Scarborough, ON M1V 5L7
 5. Patrick P Raghubeer, 2 Eagledance Drive, Scarborough, ON M1V 4J8
 6. Intact Insurance Company, 700 University Avenue, Toronto, ON M5G 0A1, **Attention: Karina Stoyanoff**
 7. Allstate Insurance Company, 27 Allstate Parkway, Suite 100, Markham, ON L3R 5P8, **Attention: John Croff**
 8. The Personal Insurance Company, PO Box 7065, Station A, Mississauga, ON L5A 4K7 **Attention: Marco Mariani, Property Claims Service**
 9. Anna Chang, 457 Port Royal Trail, Scarborough, ON M1V 5B4
 10. MTCC 1044 (various unit owners), c/o Shiu Pong Management Limited, 131 Baldwin Street, Toronto, ON M5T 1L7, **Attention: E Morgana, Property Manager , Sent VIA E-mail: emiliom@shiupong.com**
 11. *sumeyam09@gmail.com*
- Copied:*
12. Grace McKeown of Bennett Jones LLP, mckeowng@bennettjones.com
 13. Matthew T. Petch of The Co-operators, matthew_petch@cooperators.ca
 14. TD Insurance Meloche Monnex, 3650 Victoria Park Avenue, 9th Floor, North York, ON M2H 3P7, **Attention: Bianca Nituda, Claims Services**
 15. Cindy Leung (articling student) of Consky & Associates, 302-45 Sheppard Ave E, North York, ON M2N 5W9

Appendix F

Court File No.

CV-17-573588

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

JONATHAN COOPERMAN, THE ESTATE TRUSTEE DURING
LITIGATION OF THE ESTATE OF PAUL ZIGOMANIS

Plaintiff

- and -



AVIVA INSURANCE COMPANY OF CANADA

Defendant

STATEMENT OF CLAIM

TO THE DEFENDANT

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the plaintiff. The Claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a Statement of Defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the plaintiff's lawyer or, where the plaintiff does not have a lawyer, serve it on the plaintiff, and file it, with proof of service in this court office, WITHIN TWENTY DAYS after this Statement of Claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your Statement of Defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a Statement of Defence, you may serve and file a Notice of Intent to Defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your Statement of Defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES,

LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

TAKE NOTICE: THIS ACTION WILL AUTOMATICALLY BE DISMISSED if it has not been set down for trial or terminated by any means within five years after the action was commenced unless otherwise ordered by the court.

Date April 19, 2017

Issued by


Local Registrar

Address of court office: Superior Court of Justice
393 University Avenue, 10th Floor
Toronto ON M5G 1E6

TO: Aviva Insurance Company of Canada
2206 Eglinton Avenue East
Scarborough, ON
M1L 4S8

Defendant

CLAIM

1. The plaintiff claims:
 - (a) a declaration that there is coverage under the terms of the policy in favour of the plaintiff;
 - (b) a declaration that the defendant has a duty to defend the plaintiff and that the defendant has an obligation to pay for the legal costs arising out of any defence;
 - (c) pre-judgment and post-judgment interest under the *Courts of Justice Act*, RSO 1990, c. C43;
 - (d) the costs of this proceeding, plus all applicable taxes; and
 - (e) such further and other relief and this Honourable Court deems just.

The Parties

2. The plaintiff, Jonathan Cooperman, is the estate trustee during litigation of the estate of Paul Zigomanis ("Paul"). Paul died on April 20, 2015, killed in an explosion at his place of residence at 3356 Brimley Road, Scarborough, Ontario (the "Property"). Paul obtained the Property in May 1991 and lived there as its sole occupant until he died.

3. The defendant, Aviva Insurance Company of Canada ("Aviva"), is a corporation licensed to carry on the business of insurance in the Province of Ontario.

The Homeowners Policy

4. Aviva issued a comprehensive homeowners policy to John and Mary Zigomanis (Paul's now deceased parents), bearing Policy No. P11633485HAB (the "Policy"). The Policy was effective March 27, 2015 through March 27, 2016.

5. In all of the circumstances, and given the relationship between Paul and John and Mary Zigomanis, the Property was held in trust for Paul and Paul was insured under the Policy.

6. The Policy and Certificate of Property Insurance provided insurance in relation to the Property for dwelling building coverage to the amount of \$700,300 and personal property (replacement cost basis) coverage to the amount of \$560,400.

7. The Policy also provided insurance for personal liability protection coverage to the amount of \$1,000,000 for sums that are legally obligated to be paid as compensatory damages because of unintentional bodily injury or property damage arising out of an occurrence within the Policy period. The Policy further obligated Aviva to defend any action seeking the foregoing compensatory damages.

8. At all material times, the Policy was in good standing and in full force and effect.

The Explosion at Brimley

9. On April 20, 2015, there was an explosion at the Property which killed Paul and completely destroyed the dwelling and its contents (the "Explosion").

10. Aviva was promptly notified of the Explosion and the resulting damage and loss.

11. Upon inspection, the Office of the Fire Marshal of Ontario concluded that the Explosion was fueled by natural gas. Specifically, the natural gas union that formed part of the supply piping to the hot water heater was separated at some point in time prior to the Explosion and that this was caused by direct human intervention. The separation allowed for natural gas to flow into the interior of the Brimley House.

12. In July 2013, Paul contacted the City of Toronto Municipal Standards Office and made a complaint that the hot water heater at the Property was not working. On April 16, 2015 (days before the Explosion), the City of Toronto installed a new water meter at the Property.

13. In addition, in and around the time of the Explosion, Paul was making efforts to improve his wellbeing and quality of life. He began to file his outstanding tax returns and address his personal legal matters.

14. The plaintiff pleads the Explosion was not an intentional or criminal act.

15. The plaintiff pleads that no exclusions apply and that Paul is covered by the terms of the Policy.

Aviva's Duty to Defend

16. The Explosion caused extensive damage to neighbouring homes.

17. The plaintiff is aware of 12 claims (the "Claims") seeking damages from the plaintiff for bodily injury and property damage arising out the Explosion, which total approximately \$4,288,516.00.

18. The Claims have been provided to Aviva in accordance with the notice obligations contained in the Policy.

19. The plaintiff has duly notified Aviva of the damage to the Property, loss of contents and other costs, expenses and damages covered under the Policy. The plaintiff has complied with all conditions necessary to rely on the duty to defend, and for coverage pursuant to the Policy.

Place of Trial

20. The plaintiff proposes that this action be tried at Toronto, Ontario.

April 19, 2017

BENNETT JONES LLP
3400 One First Canadian Place
P.O. Box 130
Toronto ON M5X 1A4

Lincoln Caylor (LSUC# 37030L)
Email: caylorl@bennettjones.com

Grace McKeown (LSUC# 67851F)
Email: mckeowng@bennettjones.com

Telephone: (416) 863-1200
Facsimile: (416) 863-1716

Lawyers for the plaintiff

JONATHAN COOPERMAN, ESTATE TRUSTEE DURING
LITIGATION OF THE ESTATE OF PAUL ZIGOMANIS)
Plaintiff

-and-

AVIVA INSURANCE COMPANY OF CANADA
CV-17-573588
Defendant
Court File No.

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
TORONTO

STATEMENT OF CLAIM

BENNETT JONES LLP
3400 One First Canadian Place
P.O. Box 130
Toronto ON M5X 1A4

Lincoln Caylor (LSUC# 37030L)
Email: caylorl@bennettjones.com

Grace McKeown (LSUC# 67851F)
Email: mckeowng@bennettjones.com

Telephone: (416) 863-1200
Facsimile: (416) 863-1716

Lawyers for the plaintiff

Appendix G

CV-17-573607
Court File No.

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

GAIL MACDONALD, as estate trustee of the Estate of John Zigomanis
Plaintiff

and

AVIVA INSURANCE COMPANY OF CANADA
Defendant

STATEMENT OF CLAIM



TO THE DEFENDANT

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff.
The Claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a Statement of Defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the Plaintiff's lawyer or, where the Plaintiff does not have a lawyer, serve it on the Plaintiff, and file it, with proof of service in this court office, WITHIN TWENTY DAYS after this Statement of Claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your Statement of Defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a Statement of Defence, you may serve and file a Notice of Intent to Defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your Statement of Defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

W-17-573607

-2-

TAKE NOTICE: THIS ACTION WILL AUTOMATICALLY BE DISMISSED if it has not been set down for trial or terminated by any means within five years after the action was commenced unless otherwise ordered by the court.

Date APR 19 2017 Issued by Conrad Diamante
Local Registrar

Address of court office: Superior Court of Justice
393 University Avenue, 10th Floor
Toronto ON
M5G 1E6

TO: **AVIVA INSURANCE COMPANY OF CANADA**
2206 Eglinton Avenue East
Toronto ON
M1L 4S8

CLAIM

1. The plaintiff claims:

- (a) a declaration that Aviva Insurance Company of Canada (“Aviva”) owes property coverage to the plaintiff under Home Owners policy number P11633485HAB (the “Policy”);
- (b) payment by Aviva of:
 - (i) no less than \$600,000 as insured loss for damage to the dwelling located at 3356 Brimley Road, Scarborough (the “Home”); and
 - (ii) no less than \$300,000 as insured replacement costs of the damaged personal property; and
 - (iii) no less than \$10,000 as insured loss for damage to the detached private structure;
- (c) prejudgment and postjudgment interest in accordance with sections 128 and 129 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
- (d) the costs of this proceeding, plus all applicable taxes; and
- (e) such further and other Relief as to this Honourable Court may seem just.

2. John and Mary Zigomanis are the named insureds under the Policy issued by Aviva for the period March 27, 2015 to March 27, 2016.

3. The insured, John Zigomanis ("John") was the owner of the Home until his death on December 31, 2014.
4. The plaintiff, Gail MacDonald, as estate trustee of the Estate of John ("Gail"), became the legal owner of the Home on March 18, 2015.
5. On April 20, 2015, there was an explosion which destroyed the Home in its entirety, including all contents, and a detached shed.
6. At the time, the insured's son, Paul Zigomanis ("Paul"), lived in the Home, and Paul died in the explosion.
7. Directly following the explosion, Gail provided Aviva with notice of loss, and Aviva assigned this claim with the number 33466549.
8. The Policy provides the following property coverage ("Property Coverage"):

Coverage A – Dwelling Building

We insure:

1. The principal dwelling and attached structures.

...

Coverage B – Detached Private Structure

We insure structures or buildings on your premises separated from the dwelling by a clear space but not insured under Coverage A. If they are connected to the dwelling a fence, utility line or similar connection only, they are considered to be private detached structures.

...

Coverage C – Personal Property

1. We insure the contents of your dwelling and other personal property you own, wear or use while on your premises which is usual to the ownership or maintenance of a dwelling...

...

BASIS OF CLAIM PAYMENT

We will pay for insured loss of or damage to the dwelling and attached private structures and personal property as described below up to your financial interest in the property, but not exceeding the applicable amount(s) of insurance for any loss or damage arising out of any one occurrence.

...

Actual Cash Value

The Actual Cash Value will take into account such things as the cost of replacement less any depreciation, and in determining depreciation we will consider the condition immediately before the damage, the resale value and the normal life expectancy.

9. The limit of liability under the Policy for Property Coverage, subject to a \$500 deductible, is:

- (a) Dwelling property \$700,300;
- (b) Personal property (replacement costs basis) \$560,400;
- (c) Detached private structure \$105,100.

10. The destruction of the Home and its contents are covered under the Property Coverage.

11. Gail, as estate trustee, suffered the following losses under the Policy and seeks payment from Aviva for:

- (a) Damage to the Home in the approximate amount of \$600,000; and
- (b) Damage to replace the personal property in the approximate amount of \$300,000;
- (c) Damage to replace the shed, being a detached private structure in the approximate amount of \$10,000.

12. Gail requests that this action be tried in the City of Toronto.

April 19, 2017

**LENCZNER SLAGHT ROYCE
SMITH GRIFFIN LLP**

Barristers
Suite 2600
130 Adelaide Street West
Toronto ON M5H 3P5

Anne E. Posno (34840H)
Tel: (416) 865-3095
Fax: (416) 865-9010
Email: aposno@litigate.com

Lawyers for the plaintiff

Appendix H

LIST OF POTENTIAL CLAIMS RECEIVED

Potential Claimant	Insurer / Lawyer / Engineering	Reason for Claim / Description	Amount	Source
POTENTIAL REGULAR CREDITORS				
1. Canadian Tire Bank (Options Mastercard)	N/A	Monthly Statement	6,633.05	Redirected Mail
2. President's Choice Financial Mastercard	N/A	Monthly Statement	4,757.00	Redirected Mail
3. Walmart Financial Mastercard	N/A	Monthly Statement	8,479.74	Redirected Mail
4. TD Canada Trust Visa	N/A	Monthly Statement	906.65	Redirected Mail
5. Enbridge Gas Distribution	N/A	Statement	295.22	Redirected Mail
6. Canada Revenue Agency - Personal Taxes	N/A	Personal Income Taxes of P Zigomanis (not Estate)	unknown	
7. Canada Revenue Agency - ETDL Liability (re Taxes)	N/A	ETDL Liability (re Taxes)	unknown	
8. Toronto Water & Solid Waste Management	N/A	Transfer to Tax Notice	295.18	G MacDonald
9. City of Toronto - Property Tax	N/A		763.00	G MacDonald
Total Potential Regular Creditors			22,129.84	
POTENTIAL CLAIMS DUE TO EXPLOSION				
1. Unknown	The Co-operators	18 Hambleton Court		Aviva Insurance - see # 29 below
2. Unknown	The Co-operators	3364 Brimley Road		Aviva Insurance - see #27 below
3. Unknown	The Co-operators	Unknown		Aviva Insurance - see #28 below
4. Andrew Liu & Susanna Tsui	TD Insurance Meloche Monnex	15 Scoville Square	6,466.76	Aviva Insurance
5. Varkey & Vasanthadevi Abraham	TD Insurance Meloche Monnex	9 Scoville Square	37,092.59	Aviva Insurance
6. Patrick P Raghubeer	TD Insurance Meloche Monnex	2 Eagledance Drive	61,682.69	Aviva Insurance
7. Unknown	Intact Insurance Company	Unknown	unknown	Aviva Insurance
9. Unknown	Intact Insurance Company	Unknown	unknown	FMO
10. Unknown	Allstate Insurance Company	Unknown	unknown	FMO
11. Unknown	The Personal Insurance Company	Unknown	unknown	FMO
12. Unknown	The Co-operators General Insurance Company	Unknown	unknown	FMO
13. Unknown	Di Scipio Associates Incorporated	Unknown	unknown	FMO
14. Giovanni Zambri	Beckett Personal Injury Lawyers	(driving vehicle passing 3356 at explosion)	900,000.00	Stmt of Claim - April 18, 2017
15. Fred Chang	Van Dusen Law Office PC (representing Allstate)	457 Port Royal Trail	585,414.00	Stmt of Claim filed December 16, 2016 [Cross claimed by John Zigomanis' Estate]
16. Anna Chang	Consky & Associates	457 Port Royal Trail (personal injury)	unknown	Notice of Action filed April 19, 2017
17. Alexandre Choi and Cecelia Tamm	State Farm Insurance (Certas Home and Auto)	3358 Brimley Road	1,000,000.00	Stmt of Claim filed June 23, 2016 [Cross claimed by John Zigomanis' Estate]
18. MTCC 1044 (various unit owners)	Shiu Pong Management Limited (Agent)	3350 Brimley, Units 1, 2, 3, 5, 20, 21, 22, 23, 27, 28, 30, 38, 82, 83 (garage doors)	2,800.00	Email/Ltr dated June 20, 2016 (we have estimated at approx \$200 x 14 garage doors)
19. Sumeya	unknown	unknown	unknown	Call rec'd June 22, 2016 (Memo to File by A Chopowick)
20. Ghaly Salama	Isaacs & Co	451 Port Royal Trail	500,000.00	Stmt of Claim served on July 27, 2016
21. Chi-Wen Chiu & Philomena Chiu	Desjardins / Zarek Taylor Grossman Hanrahan LLP	450 Port Royal Trail	2,000,000.00	Stmt of Claim filed April 5, 2017
22. Zhonghai Huo, Cai Huo & Zhi Huo	Desjardins / Zarek Taylor Grossman Hanrahan LLP	85 Lorna Rae Blvd		Stmt of Claim filed April 5, 2017
23. Peter Lam & Yeen Lam	Desjardins / Zarek Taylor Grossman Hanrahan LLP	3366 Brimley Road		Stmt of Claim filed April 5, 2017
24. Choi-Wan Wong & Mou-Sang Wong	Desjardins / Zarek Taylor Grossman Hanrahan LLP	3360 Brimley Road		Stmt of Claim filed April 5, 2017
25. Hing Wah Yam, Shui Yam, Yeung Yam & Wai Lan Anbo Yam	Desjardins / Zarek Taylor Grossman Hanrahan LLP	86 Lorna Rae Blvd		Stmt of Claim filed April 5, 2017
26. Kwong-Mao Lam & Lai-King Cheung	Lawson LLP C/o Jillian Beaulieu	447 Port Royal Trail	25,000.00	Stmt of Claim received in draft
27. Bing Fu Lin, Hui Lin & Qing Lin	Samis + Company	3364 Brimley Road	100,000.00	Stmt of Claim - April 18, 2017
28. Bernard Sik To Woo & May Woo	Samis + Company	81 Lorna Rae Boulevard		Stmt of Claim - April 18, 2017
29. Kwok-Chung Yim & Yuet-Wa Yim	Samis + Company	18 Hambleton Court		Stmt of Claim - April 18, 2017
30. Yan Yin Ye & Jing Qin Dong	Samis + Company	11 Scoville Square	500,000.00	Stmt of Claim - April 18, 2017
31. Tse Yau Winnie Mok & Raymond Chen Sai Woo	Samis + Company	459 Port Royal Trail		Stmt of Claim - April 18, 2017
32. 5005 Steeles Plaza Inc.	Samis + Company	5005 Steeles Road		Stmt of Claim - April 18, 2017
Total Potential Claims Due to Explosion			5,718,456.04	
TOTAL POTENTIAL CLAIMS			5,740,585.88	