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Mercredi 11 mai 2011

**Standing Committee on
Regulations and Private Bills**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

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Clerk: Valerie Quioc Lim

Président : Michael Prue
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

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The committee met at 0901 in room 151.

BIG A AMUSEMENTS LTD. ACT, 2011

Consideration of Bill Pr47, An Act to revive Big A Amusements Ltd.

The Chair (Mr. Michael Prue): Okay, we're going to call the meeting to order. Two of the movers are not present, so we'll ask Mr. Rinaldi to proceed. This is Bill Pr32, An Act to revive 1518186—

Interjection.

The Chair (Mr. Michael Prue): You're late, sir. Unless you want to step down—Mr. Delaney has asked if he can proceed first, because he is required to be in the House. If you don't mind?

Mr. Lou Rinaldi: Absolutely. I don't mind whatsoever.

The Chair (Mr. Michael Prue): All right. Then we'll start again.

The floor is yours, Mr. Delaney. We're going to revert to Bill Pr47, An Act to revive Big A Amusements Ltd., Mr. Delaney. Mr. Earl S. Heiber, barrister and solicitor, is here as well. Please join us. The floor is yours.

Mr. Bob Delaney: Good morning, everybody. I believe Mr. Heiber will walk us through the balance of this particular bill.

Mr. Earl Heiber: Thank you. This is a bill to revive a corporation called Big A Amusements Ltd. The company was dissolved voluntarily. Unfortunately, it was dissolved without the consent of the shareholder at the time. The corporation's accountant was not able to contact the shareholder, who had a bit of dementia, and he took it upon himself to dissolve the corporation by signing the signature of the shareholder's spouse. As a result, the company was dissolved voluntarily.

The accountant did not know at the time that the corporation continued to hold assets. It had held a building at 114 Alice Street, Brantford, Ontario, and had cash in a bank account of approximately \$100,000.

We have brought this application to this committee for the purpose of reviving the corporation to enable the corporation to deal with its assets.

The Chair (Mr. Michael Prue): Okay. Is there anything further?

Interjection.

The Chair (Mr. Michael Prue): Ah, so I don't miss any of the stages. Thank you.

Are there any other interested parties? Any interested parties? The parliamentary assistant, any comments?

Mr. Lou Rinaldi: No comments, Chair.

The Chair (Mr. Michael Prue): No comments. Any questions from committee members? Mr. Miller.

Mr. Paul Miller: I'm just curious: You said that the accountant signed someone's name. Was the accountant the trustee?

Mr. Earl Heiber: No.

Mr. Paul Miller: That's interesting.

Mr. Earl Heiber: It was disturbing.

Mr. Paul Miller: They signed a name without permission, and no other family members were contacted; the person with dementia didn't know?

Mr. Earl Heiber: That's absolutely correct.

Mr. Paul Miller: So were there any charges?

Mr. Earl Heiber: No. We've tried to reach the accountant. He retired shortly thereafter. The CICA refused to give his contact information.

Mr. Paul Miller: Is he related to Bernie Madoff?

Mr. Earl Heiber: He might be.

Mr. Paul Miller: Okay. It was just a question. I found that a little unusual, but okay, I guess. It's interesting.

Mr. Bill Murdoch: He is in Hamilton, right?

Mr. Paul Miller: No, he's not from Hamilton. He's probably from up north.

The Chair (Mr. Michael Prue): Are there any other questions? Seeing none, are the members ready to vote?

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Agreed? Agreed.

Thank you very much.

1518186 ONTARIO INC. ACT, 2011

Consideration of Bill Pr32, An Act to revive 1518186 Ontario Inc.

The Chair (Mr. Michael Prue): The next item: Mr. Rinaldi. This is Bill Pr32, An Act to revive 1518186 On-

tario Inc. Mr. Rinaldi is the sponsor, and I have Matt Gemmell, lawyer, listed as well. Would that be you, sir?

Mr. Matt Gemmell: That is.

The Chair (Mr. Michael Prue): Okay, perfect. Mr. Rinaldi, the floor is yours.

Mr. Lou Rinaldi: Thank you, Chair. At this stage, the bill is fairly self-explanatory, but I'll ask my solicitor to the right to give a little bit more insight.

Mr. Matt Gemmell: Good morning, members. I'm here with respect to An Act to revive 1518186 Ontario Inc. The corporation was voluntarily dissolved on March 6, 2006. At the time, it was overlooked that the corporation held a mortgage on a piece of property. It recently came to light, when this property was being sold, that that mortgage still existed on the property, and in order to discharge the mortgage and properly deal with the mortgage, we'd ask to revive the corporation.

The Chair (Mr. Michael Prue): Are there any other interested parties in the room on this matter?

Seeing none, parliamentary assistant, any comments? I don't know how you do that.

Mr. Lou Rinaldi: My only comment is that the Rolins family, although they're not directly—well, partly in my riding, but in the adjacent riding—they've been very well respected business folks in the community for years and years. That's my comment, and we have no objection.

Mr. Paul Miller: Is that a plug?

Mr. Lou Rinaldi: Of course. It's an advertisement.

The Chair (Mr. Michael Prue): Okay. Any questions from committee members? Mr. Miller?

Mr. Paul Miller: I don't want to be facetious, but do these lawyers do their work originally? Because we see so many times that they don't do the research on assets of a corporation. Once again, here we are with some lawyer who didn't check the mortgage out before he discharged or before he did the—I don't know. I think some of these guys are overpaid.

The Chair (Mr. Michael Prue): I don't think you need to answer that. I'm not even sure whether he was the lawyer who arranged it in the first place.

Mr. Paul Miller: Well, okay. All right.

Mr. Matt Gemmell: It was actually dissolved by the accountants.

Mr. Paul Miller: Same guy?

Interjection: Same guy.

Mr. Paul Miller: Oh, I understand now.

The Chair (Mr. Michael Prue): Are there any other questions? No other questions. Let me just make sure I get all the right things done here. Okay.

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Agreed? Agreed. Thank you very much.

Mr. Paul Miller: Lou, say hi to those nice people from your riding. Maybe they'll vote NDP next time.

FARADALE FARMS LTD. ACT, 2011

Consideration of Bill Pr46, An Act to revive Faradale Farms Ltd.

The Chair (Mr. Michael Prue): The next item is under the name of Mr. Murdoch. It's Bill Pr46, An Act to revive Faradale Farms Ltd. I have here listed Ross H. Thomson as the lawyer. Would you be Mr. Thomson, sir?

Mr. Ross Thomson: I am.

The Chair (Mr. Michael Prue): Very good. All right, Mr. Murdoch, the floor is yours.

Mr. Bill Murdoch: As you can see in the preamble—and I'm sure my friend Paul will like this one, too.

Mr. Paul Miller: Probably.

Mr. Bill Murdoch: It's sort of the same thing. My good friend the lawyer here will explain it all to you. But I don't know whether he did this or not.

Mr. Ross Thomson: This is a variation on the theme. It's not due to an accountant signing documents or filing things; it's due to perhaps stupidity, ignorance or something like that.

0910

This farm corporation was established in 1979 and was dissolved by fiat—in other words, by the government—for failure to file the requisite tax returns. What had happened was that they had basically stopped using the corporation for the farming operations. They're a small group of people; there were three brothers originally involved in the corporation. They stopped using the corporation and let it go to the side.

For whatever reason, which remains somewhat obscure, they didn't file tax returns. We attempted to get them to sort of get their act together for a number of years, without success, before we had to come to this stage. Finally, we got their attention, as indicated in some of the material that has been filed.

A few years ago, the county of Bruce took a piece of property from this farm property for road purposes, and the owners, on behalf of Faradale Farms, signed the appropriate deed. The problem was, having lost its charter, the corporation did not have the legal authority to give the county the deed, so the public are travelling down a road that the county of Bruce thinks they own but they don't. There are some mortgages on title and things that need to be done in order to transfer the property and deal with the lands that are owned by the corporation.

We filed all the income tax returns, we've got the clearance certificate from the Ministry of Finance and we're now here asking for revival of the corporation.

The Chair (Mr. Michael Prue): Thank you very much. Are there any interested parties in the room? Any interested parties? Seeing none, any comments, parliamentary assistant?

Mr. Lou Rinaldi: No comments, Chair.

The Chair (Mr. Michael Prue): No comments. Any questions from committee members? Mr. Miller.

Mr. Paul Miller: So this county is in kind of a bind because they don't own the property—something like the 406. We don't own it, right—something like that—so you're trying to clear it up so that the county can take control of the deeded property?

Mr. Ross Thomson: That's a side benefit. I really want to get the corporation revived so that the corporation can deal with the farmland that it owns.

Mr. Paul Miller: Okay. And how do the farmers fit into this? Do they get some kind of rebate or something for signing the deed?

Mr. Ross Thomson: No.

Mr. Paul Miller: No?

Mr. Ross Thomson: I mean, the owner of the property has already been paid for the conveyance to the county.

Mr. Paul Miller: So it's just tidying up another error.

Mr. Ross Thomson: It's just tidying up.

Mr. Paul Miller: Okay. Thanks.

Mr. Bill Murdoch: Just for the record, there are lots of them out there.

Mr. Paul Miller: Errors?

Mr. Bill Murdoch: It will keep this committee going for a long time.

Mr. Paul Miller: Bill, you're in charge of that area. I'm a little concerned.

Mr. Bill Murdoch: Yeah, well—

Mr. Ross Thomson: That's why he's retired.

Mr. Bill Murdoch: I'm moving south of the accountant.

Mr. Paul Miller: All right.

The Chair (Mr. Michael Prue): Okay. Any other questions from committee members? Seeing none, we'll go to votes.

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Agreed.

Thank you very much.

SUBCOMMITTEE REPORT

The Chair (Mr. Michael Prue): This brings us to the last item on the agenda. It's the report of the subcommit-

tee on committee business, dated April 20, 2011. Mr. Rinaldi.

Mr. Lou Rinaldi: Your subcommittee on committee business met on Wednesday, April 20, 2011, to consider the method of proceeding on Bill 92, An Act to require automatic sprinklers in all Ontario retirement homes, and recommends that the committee do not proceed with the consideration of the bill.

The Chair (Mr. Michael Prue): You have the report before us. Any discussion?

Mr. Paul Miller: One comment: Absolutely outrageous. End of comment.

The Chair (Mr. Michael Prue): Okay, we have a motion to accept the subcommittee report.

Mr. Paul Miller: I want a recorded vote.

Ayes

Craitor, Leal, Rinaldi.

Nays

Paul Miller, Murdoch.

The Chair (Mr. Michael Prue): The motion carries. Is there any other business before the committee?

Mr. Bill Murdoch: I've got just a small one. Did I hear right in the House yesterday that a bill was put to our committee, sort of similar to the sprinkler bill?

Mr. Paul Miller: Could have.

Mr. Bill Murdoch: Well, does anybody remember that? It was a private bill or a bill, and I heard him say it was coming to our committee. I just wondered why that bill would come here when we didn't do that bill.

Mr. Lou Rinaldi: I don't remember.

Mr. Paul Miller: They probably directed it here because they knew they could shoot it down.

Mr. Bill Murdoch: Well, I don't know. I just thought, "That's funny. We're getting some of these bills now." It's okay.

The Chair (Mr. Michael Prue): I will have the clerk check whether or not that bill is coming to our committee. I was not in the House to hear that.

Mr. Bill Murdoch: I didn't question it at the time. I just thought, "Gee, that's funny. I'll ask at committee." You know, it's something to find out.

The Chair (Mr. Michael Prue): Any other business for the committee?

Seeing none, the meeting is adjourned.

The committee adjourned at 0915.

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