

FORM 31

Proof of Claim  
(Section 50.1, subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 102(2), 124(2), 128(1),  
and paragraphs 51(1)(e) and 66.14(b) of the Act)

All notices or correspondence regarding this claim must be forwarded to the following address:

\_\_\_\_\_

In the matter of the bankruptcy (or the proposal, or the receivership) of \_\_\_\_\_ (name of debtor)  
of \_\_\_\_\_ (city and province) and the claim of \_\_\_\_\_, creditor.

I, \_\_\_\_\_ (name of creditor or representative of the creditor), of  
\_\_\_\_\_ (city and province), do hereby certify:

1. That I am a creditor of the above-named debtor (or that) I am \_\_\_\_\_ (state position or  
title) of \_\_\_\_\_ (name of creditor or representative of the creditor).

2. That I have knowledge of all the circumstances connected with the claim referred to below.

3. That the debtor was, at the date of bankruptcy (or the date of the receivership, or in the case of a proposal, the  
date of the notice of intention or of the proposal, if no notice of intention was filed), namely the \_\_\_\_\_ day of  
\_\_\_\_\_, \_\_\_\_\_, and still is, indebted to the creditor in the sum of \$ \_\_\_\_\_, as specified in the  
statement of account (or affidavit) attached and marked Schedule "A", after deducting any counterclaims to which  
the debtor is entitled. (The attached statement of account or affidavit must specify the vouchers or other evidence in  
support of the claim).

4. (Check and complete appropriate category.)

A. UNSECURED CLAIM OF \$ \_\_\_\_\_

(other than as a customer contemplated by Section 262 of the Act)

That in respect of this debt, I do not hold any assets of the debtor as security and

(Check appropriate description)

Regarding the amount of \$ \_\_\_\_\_, I claim a right to a priority under section 136 of the Act.

Regarding the amount of \$ \_\_\_\_\_, I do not claim a right to a priority.

B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE \$ \_\_\_\_\_

That I hereby make a claim under subsection 65.2(4) of the Act, particulars of which are as follows:

(Give full particulars of the claim, including the calculations upon which the claim is based.)

C. SECURED CLAIM OF \$ \_\_\_\_\_

That in respect of this debt, I hold assets of the debtor valued at \$ \_\_\_\_\_ as security, particulars of which  
are as follows:

(Give full particulars of the security, including the date on which the security was given and the value at which you  
assess the security, and attach a copy of the security documents.)

D. CLAIM BY FARMER, FISHERMAN OR AQUACULTURIST OF \$ \_\_\_\_\_

That I hereby make a claim under subsection 81.2(1) of the Act for the unpaid amount of \$ \_\_\_\_\_

(Attach a copy of sales agreement and delivery receipts.)

E. CLAIM BY WAGE EARNER OF \$ \_\_\_\_\_

That I hereby make a claim under subsection 81.3(8) of the Act in the amount of \$ \_\_\_\_\_

That I hereby make a claim under subsection 81.4(8) of the Act in the amount of \$ \_\_\_\_\_

F. CLAIM AGAINST DIRECTOR \$ \_\_\_\_\_

(To be completed when a proposal provides for the compromise of claims against directors.)

That I hereby make a claim under subsection 50(13) of the Act, particulars of which are as follows:

(Give full particulars of the claim, including the calculations upon which the claim is based.)

5. That, to the best of my knowledge, I am (or the above-named creditor is) (or am not or is not) related to the  
Debtor within the meaning of section 4 of the Act, and have (or has) (or have not or has not) dealt with the debtor  
in a non-arm's-length manner.

6. That the following are the payments that I have received from, the credits that I have allowed to, and the transfers at undervalue within the meaning of subsection 2(1) of the Act that I have been privy to or a party to with the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Act or were not dealing with each other at arm's length, within the 12 months) immediately before the date of the initial bankruptcy event within the meaning of subsection 2(1) of the Act: (Provide details of payments, credits and transfers at undervalue.)

(Applicable only in the case of the bankruptcy of an individual)

I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to subsection 170(1) of the Act to be sent to the above address.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_

Witness \_\_\_\_\_ Creditor \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax number \_\_\_\_\_ E-mail address \_\_\_\_\_

**GENERAL PROXY** In the Matter of the Bankruptcy of \_\_\_\_\_

I/We \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ creditor, hereby appoint \_\_\_\_\_

\_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ to be my (or our ) general proxy in the above matter

(excepting only as to the receipt of dividends)

SEE No. 9 Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_ x \_\_\_\_\_ x \_\_\_\_\_  
Signature of witness Signature of creditor

**NOTE:** If an affidavit is attached, it must have been made before a person qualified to take affidavits.

**WARNINGS:** A trustee may, pursuant to subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.

**NOTE:** If a copy of this Form is sent electronically by means such as e-mail, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

**PLEASE READ THIS CAREFULLY BEFORE YOU PREPARE YOUR PROOF OF CLAIM**

1. The person making this claim must personally sign this form. The signature must be witnessed.
2. If you're signing this from on behalf of a corporation or other person you must state the title or capacity in which you're acting, such as "credit manager", "accountant", "controller" or "authorized agent", etc. This form must be signed by the person making the declaration.
3. You must have knowledge of the circumstances connected with the claim.
4. Please fill in the date of the bankruptcy as shown on the Notice to Creditors. The proof of claim is incomplete unless you include a statement (marked "Schedule A"). The balance on this statement must be complete and agree with the balance claimed by you as of the date of bankruptcy. "Schedule A" should be a detailed statement of account of the last three months of financial activity with the bankrupt. It must show the date, number and amount of all invoices or charges, together with the date, number and amount of all credits or payments. A "balance forward" or one line figure does not meet the disclosure requirements for proofs of claim issued by the Superintendent of Bankruptcy. All claimants must attach a detailed list of all payments or credits received or granted, as follows:  
(a) within the three (3) months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are not related, or  
(b) within the twelve (12) months preceding the bankruptcy or proposal, in the case where the claimant and the debtor are related.
5. Please check (x) the type of claim which applies to you. **\*\*PLEASE DON'T LEAVE THIS SECTION BLANK\*\***. If you have a regular unsecured claim, then please check (X) beside the phrase "I do not claim a right to a priority".

A priority claim is only granted to specific creditors under S.136 of The Bankruptcy and Insolvency Act. Please review the legislation to determine if you are eligible to make such a claim in this estate.

If you have a SECURED CLAIM you must:

- (a) insert the value that you feel your security is worth, and
  - (b) prove that you are secured by attaching a copy of your security document (chattel mortgage + a copy of your financing statement issued under the Personal Property Security Act, etc.). If you hold a mortgage over real estate, please provide the trustee with a copy of the mortgage document.
6. If you're related to the bankrupt, please cross out the word "not". If you're related by blood or marriage to the bankrupt, then you should consider yourself a related person. If the bankrupt is a corporation, you would be considered to be related to it if you were a shareholder, or if your company was controlled by the same shareholders as the bankrupt corporation.
  7. You must provide the full details of all payments and credits received from or allowed to the debtor during the period indicated.
  8. The proof of claim is incomplete UNLESS it has been signed and witnessed.
  9. If you wish to appoint a proxy, the proxy form must be completed and signed by the creditor. If the creditor is a corporation, the proxy must be signed in the corporate name and not necessarily by the individual signing the proof of claim form. If a corporation grants a voting proxy to an individual, the proxy section should be both signed, dated and witnessed. The Bankruptcy and Insolvency Act permits a proof of claim to be made by a duly authorized agent of a creditor, but this doesn't give such a person power to vote at the first meeting of creditors or to act as the creditor's proxy unless the GENERAL PROXY section has been completed.

**GENERAL INFORMATION**

A creditor may vote either in person or by proxy.  
A debtor may not be appointed a proxy to vote at any meeting of his creditors.  
The trustee may be appointed as proxy to vote on behalf of a creditor.  
A corporation may vote by an authorized agent at a meeting of creditors.  
In order for a duly authorized person to have a right to vote he must himself be a creditor or be the holder of a properly executed proxy. The name of the creditor must appear in the proxy section of the proof of claim.

**PLEASE CONTACT THE TRUSTEE'S OFFICE IF YOU HAVE ANY QUESTIONS ABOUT COMPLETING YOUR PROOF OF CLAIM FORM**  
**PHONE (905) 479-5712**



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