



Estate/Court File No. BK-26-03353399-0033

ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY

THE HONOURABLE)
)
JUSTICE KERSHMAN) MONDAY, THE 4th
)
) DAY OF MAY, 2026

IN THE MATTER OF *THE BANKRUPTCY AND INSOLVENCY ACT*
R.S.C., 1985, c. B-3, AS AMENDED

AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL
OF MIKE HOGAN PLUMBING AND HEATING INC.,
A CORPORATION INCORPORATED UNDER THE LAWS OF THE
PROVINCE OF ONTARIO

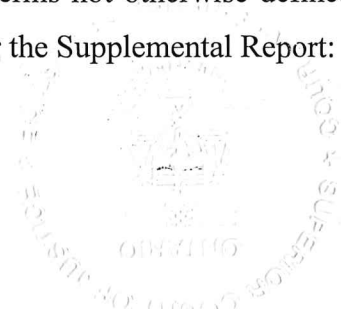
LIEN REGULARIZATION ORDER

THIS MOTION, made by Mike Hogan Plumbing and Heating Inc. (the “**Company**”) for an order pursuant to the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the “**BIA**”), was heard this day by judicial videoconference via Zoom.

ON READING the Notice of Motion, the Affidavit of Mike Hogan, sworn April 23, 2026, and the Exhibits thereto (the “**Hogan Affidavit**”), filed, the First Report of Link & Associates Inc., in its capacity as Proposal Trustee (the “**Proposal Trustee**”), dated April 23, 2026 (the “**First Report**”), filed, the Supplemental Report to the First Report of the Proposal Trustee dated April 30, 2026 (the “**Supplemental Report**”), filed and on hearing the submissions of counsel to the Company, counsel for the Proposal Trustee, and such other counsel that were present, no one appearing for any other party, although duly served as appears from the Affidavit of Service of Hannah Salako sworn April 23, 2026, filed;

DEFINITIONS

1. In this Order, in addition to the terms defined in the preamble, the following terms shall have the meanings ascribed to them below, and capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the First Report or the Supplemental Report:



- **“Administration Charge”** means the first-ranking charge granted in favour of the Administrative Professionals, being the Proposal Trustee, the Proposal Trustee's counsel, and the Applicant's counsel, for their reasonable fees and disbursements.
- **“BIA Stay”** means the stay of proceedings that arose upon the filing of the NOI pursuant to sections 69 and 69.1 of the BIA, as extended from time to time by Order of this Court;
- **“Construction Act”** means the *Construction Act*, R.S.O. 1990, c. C.30, as amended;
- **“Continuing Project”** means each active construction or service project of the Company listed in Schedule “A” to this Order, being projects that the Company intends to continue and complete during the proposal proceedings;
- **“Lien Charge”** has the meaning ascribed to it in paragraph 7 of this Order;
- **“Lien Claim”** means any claim by a Lien Claimant for amounts owing in connection with a Continuing Project, whether or not a lien has been preserved or perfected under the Construction Act;
- **“Lien Claimant”** means any Person who supplied services and/or materials to or for the Company in connection with a Continuing Project and who has or may have a lien claim under the Construction Act;
- **“Lien Notice”** means a written notice of a Lien Claim delivered in accordance with paragraph 5 of this Order, substantially in the form attached as Schedule “B” to this Order;
- **“NOI”** means the Notice of Intention to Make a Proposal filed by the Company on the NOI Date;
- **“NOI Date”** means March 30, 2026;
- **“Person”** means any individual, firm, corporation, governmental body or agency, or any other entity; and
- **“Statutory Holdback”** means any holdback required to be retained under the Construction Act in connection with a Continuing Project.



STAY OF LIEN RIGHTS

2. **THIS COURT ORDERS** that, subject to the terms of this Order, any Lien Claimant is hereby stayed and enjoined from preserving, maintaining, perfecting, or registering any lien or certificate of action, or commencing or continuing any lien action or enforcement proceeding, under the Construction Act in respect of a Continuing Project, except as expressly permitted by this Order or by further order of this Court.

3. **THIS COURT ORDERS** that, for greater certainty, nothing in this Order prevents the Company from asserting or pursuing its own lien rights on any Continuing Project, and the Company shall be entitled to preserve, register, and perfect lien claims in the ordinary course.

4. **THIS COURT ORDERS** that nothing in this Order shall affect the rights of any Lien Claimant with respect to any project not listed in Schedule "A" to this Order. Any Person may bring a motion to add or remove a project from Schedule "A" on notice to the Company and the Proposal Trustee.

LIEN NOTICE PROCESS

5. **THIS COURT ORDERS** that, in lieu of preserving or registering a lien under the Construction Act, any Lien Claimant who wishes to assert a Lien Claim in respect of a Continuing Project shall deliver a Lien Notice, substantially in the form attached as Schedule "B" to this Order, by email to each of the following:

- (a) the Company, at: mike@plumbingbyhogan.com;
- (b) the Proposal Trustee, at: rlink@linkassociates.ca; and
- (c) counsel to the Company, at: pmasic@rickettsharris.com.

6. **THIS COURT ORDERS** that a Lien Notice shall set out:

- the name and contact information of the Lien Claimant;
- the Continuing Project in respect of which the Lien Claim arises;
- the amount of the Lien Claim;

- a brief description of the services or materials supplied giving rise to the Lien Claim; and
- whether the Lien Claim arises from pre-NOI Date or post-NOI Date supply (or both), and the approximate amounts attributable to each period.

LIEN CHARGE

7. **THIS COURT ORDERS** that, upon delivery of a valid Lien Notice in accordance with this Order, the Lien Claimant shall be entitled to a charge (the “**Lien Charge**”) over the Company’s interest in the accounts receivable and Statutory Holdback referable to the applicable Continuing Project, in an amount equivalent to, and only to the extent of, the lien rights the Lien Claimant would have had under the Construction Act had a lien been preserved on the date the Lien Notice was delivered.

8. **THIS COURT ORDERS** that the Lien Charge shall be subordinate to the Administrative Charge and shall rank in priority consistent with the priority that a properly preserved and perfected lien under the Construction Act would have had as of the NOI Date, subject to the rights of any party to challenge the existence, validity, timeliness, or quantum of any Lien Claim on motion to this Court on notice to the Lien Claimant, the Company, and the Proposal Trustee.

9. **THIS COURT ORDERS** that the Lien Charge shall not attach to any amounts constituting Statutory Holdback that have already been released by an owner or payer on a Continuing Project prior to delivery of the applicable Lien Notice. No set-off shall be applied against Statutory Holdback amounts without the prior consent of the Proposal Trustee or further order of this Court.

RIGHTS PRESERVED

10. **THIS COURT ORDERS** that nothing in this Order shall prejudice the right of any Lien Claimant, the Company, or any other interested party to bring a motion before this Court to:

- dispute the validity, timeliness, or quantum of any Lien Claim;
- challenge the eligibility of any project for inclusion in Schedule “A”;
- seek relief from the stay imposed by paragraph 2 of this Order; or

- seek any other relief this Court deems just.

11. **THIS COURT ORDERS** that a Lien Claimant that delivers a Lien Notice is not required to take any further steps under the Construction Act to preserve or perfect its Lien Claim with respect to a Continuing Project, and the delivery of a Lien Notice shall be deemed to be effective preservation of the Lien Claim for the purposes of this Order.

12. **THIS COURT ORDERS** that this Order does not affect the rights of any Lien Claimant with respect to any lien that was validly preserved under the Construction Act prior to the NOI Date. Such pre-NOI liens shall continue to be governed by the Construction Act and the BIA Stay, and nothing herein constitutes any admission as to their validity or priority.

ROLE OF PROPOSAL TRUSTEE

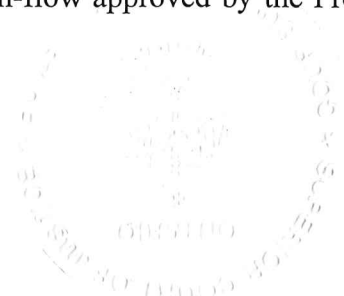
13. **THIS COURT ORDERS** that the Proposal Trustee shall maintain a register of all Lien Notices received (the “**Lien Register**”) and shall post the Lien Register on the Proposal Trustee’s case website. The Proposal Trustee shall provide a copy of the Lien Register to any party upon request.

14. **THIS COURT ORDERS** that within ten (10) Business Days of receipt of a Lien Notice, the Proposal Trustee shall review the Lien Notice and, if it is of the view that the Lien Notice is deficient, non-compliant, or that the amount claimed is disputed, shall provide written notice of same to the Lien Claimant, the Company, and their respective counsel.

15. **THIS COURT ORDERS** that the Proposal Trustee shall report on the status of Lien Claims received under this Order in each of its reports to this Court filed during these proposal proceedings.

PAYMENTS TO LIEN CLAIMANTS

16. **THIS COURT ORDERS** that, subject to the prior approval of the Proposal Trustee, the Company is authorized to make payments to Lien Claimants on account of valid Lien Claims from the surplus cash flow generated from the collection of receivables on the applicable Continuing Project, to the extent available and in accordance with the cash-flow approved by the Proposal



Trustee from time to time. All such payments shall be reported to the Court in the Proposal Trustee's next report.

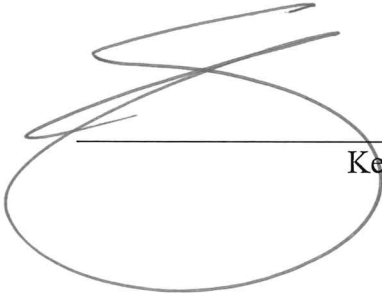
17. **THIS COURT ORDERS** that payment by the Company to a Lien Claimant on account of a Lien Claim under this Order shall, to the extent of such payment, discharge the Lien Charge in respect of such Lien Claim, and the Lien Claimant shall promptly deliver to the Proposal Trustee written confirmation of such discharge.

GENERAL

18. **THIS COURT ORDERS** that this Order shall be served promptly upon all known Lien Claimants, all known owners and payers on the Continuing Projects, and any other Persons directed by the Proposal Trustee or this Court. Proof of service shall be filed with the Court.

19. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. (Eastern Time) on the date of this Order without the need for entry or filing.

20. **THIS COURT ORDERS** that this Court shall retain jurisdiction to interpret, enforce, and amend this Order and to grant such further and other relief as may be just.


Kershman J.



SCHEDULE "A" **CONTINUING PROJECTS**

[Insert list of active projects, with brief project description, project address, and owner/general contractor name]

Projects include, without limitation:

- Trenton Apartments, 125 Appledene Drive, Trenton, Ontario (Hyde)
- Wildwood Apartments, 3040 Innes Rd., Ottawa, Ontario K1W 1A7 (Landrich)
- Stirling Residential Development, Brockville, Ontario (DBM)
- 263 Currell (Theberge)
- Princess St. Developments, 800 Princess Street
- 2312-2314 Princess St., Kingston, Ontario
- Kanata Woods
- Skyfal (300 Bayfield) Apr
- Frontenac Mall, 1300 Bath Road, Kingston, Ontario
- 150 Marketplace (1897365 Ontario Inc.)



SCHEDULE "B"
FORM OF LIEN NOTICE

**IN THE MATTER OF THE BANKRUPTCY AND INSOLVENCY ACT,
R.S.C. 1985, c. B-3, AS AMENDED**

**AND IN THE MATTER OF THE NOTICE OF INTENTION
TO MAKE A PROPOSAL OF MIKE HOGAN PLUMBING AND HEATING
INC., A CORPORATION INCORPORATED UNDER THE LAWS OF
THE PROVINCE OF ONTARIO**

LIEN NOTICE

TO: Mike Hogan Plumbing and Heating Inc. and Link & Associates Inc., as Proposal Trustee

The undersigned hereby delivers this Lien Notice pursuant to the Lien Regularization Order dated May 4, 2026 (the "LRO") made in the above-captioned proposal proceedings. Capitalized terms used but not defined herein have the meanings ascribed to them in the LRO.

1. Lien Claimant:

Full legal name: _____

Address: _____

Email: _____

Contact (name/tel): _____

2. Continuing Project:

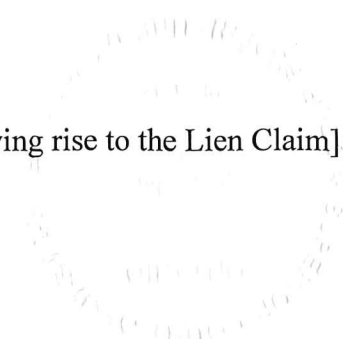
Project name/address: _____

Owner / General Contractor: _____

3. Amount of Lien Claim: \$ _____

4. Description of Services/Materials Supplied:

[Brief description of the services and/or materials supplied giving rise to the Lien Claim]



5. Period of Supply:

- **Pre-NOI Date supply (before March 30, 2026):** \$ _____
- **Post-NOI Date supply (on or after March 30, 2026):** \$ _____

The Lien Claimant reserves all rights with respect to this Lien Claim, including the right to update or amend this Lien Notice.

DATED this _____ day of _____, 20__.

Authorized signatory for the Lien Claimant

Name: _____

Title: _____



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May 4/26

For oral reorganization Court order the
signature of the order already on date to file
the proposal & the order given
Reorganization order

Order accordingly



ONTARIO

SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY

Proceeding commenced at Ottawa

ORDER

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