



B-180368

Affidavit #1 of Jeffrey Ayre
Sworn June 8, 2018

District of British Columbia
Division No. 03 - Vancouver
Court No.
Estate No. 11-2375063

**IN THE SUPREME COURT OF BRITISH COLUMBIA
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF THE BANKRUPTCY OF

JIZHE YANG

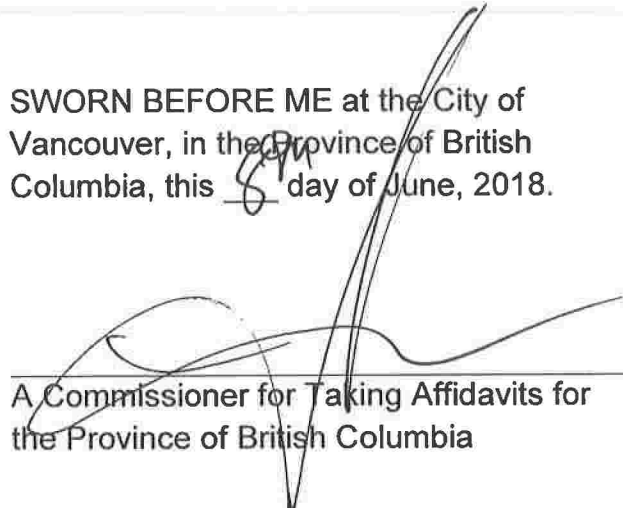
AFFIDAVIT

I, **JEFFREY AYRE**, Certified Professional Accountant, Certified General Accountant, Licensed Insolvency Trustee of 250-750 W. Pender St., Vancouver, **MAKE OATH AND SAY AS FOLLOWS:**

1. I am an Associate Director for G. Powroznik Group Inc., the trustee for Jizhe (Mary) Yang, and as such I have personal knowledge of the facts and matters hereinafter deposed to save and except where the same are stated to be made on information and belief and where so stated, I verily believe the same to be true.
2. I have read the Notice of Application for appointment of Receiver and confirm that the facts set out therein are true to the best of my knowledge.
3. Attached hereto and marked as **Exhibit "A"** to this my Affidavit is a true copy of letter from Bank of Montreal dated May 16, 2018 and attached summary of banking records of PE Consulting Ltd.
4. Attached hereto and marked as **Exhibit "B"** to this my Affidavit are true copies of bank drafts dated November 3 and 10, 2017, respectively.
5. Attached hereto and marked as **Exhibit "C"** to this my Affidavit is a true copy of an email from Bank of Montreal to Miller Thomson dated May 30, 2018.

6. Attached hereto and marked as **Exhibit "D"** to this my Affidavit is a true copy of a letter from Ellis Roadburg dated May 25, 2018

SWORN BEFORE ME at the City of Vancouver, in the Province of British Columbia, this 8th day of June, 2018.


A Commissioner for Taking Affidavits for the Province of British Columbia

SCOTT A. TURNER
Barrister & Solicitor
1400-510 BARRARD STREET
VANCOUVER, B.C. V6C 3A8


JEFFREY AYRE

MAY 22 2018

16 May 2018

Re: Request for Banking Records of PE consulting Ltd.

This is Exhibit "A" referred to in
affidavit of JEFF AYLE
sworn before me this 8 day of
JUNE A.D. 2018.

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To Whom It May Concern:

We are pleased to inform you that out of the 37 items you requested with respect to the court order, we have identified 14 items that did not involve any instrument (i.e. transfers between accounts etc.,) and retrieved cheque or draft images of the other 16 transactions.

As to the other 7 items for which no images were found, one possible explanation could be that these items may have never been actually used (i.e. deposited).

Please refer to the attached document.

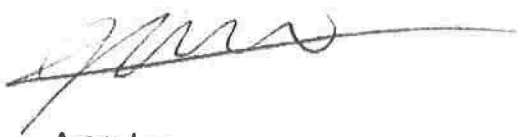
As mentioned earlier, the fee for retrieving these banking records is \$5.00 per transaction.

The total charge incurred to this request is \$80.00; 16 Items X \$5.00/Item = \$80.00.

This letter is provided on the understanding that neither the writer nor Bank of Montreal shall be liable in the event its content is inaccurate or incomplete.

If you have any other questions or require further information, please contact 604-668-1550.

Yours Truly,



Aram Lee
Customer Service Representative
Aram.Lee@bmo.com

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Banking Records of PE Consulting Ltd. Re: Court Order

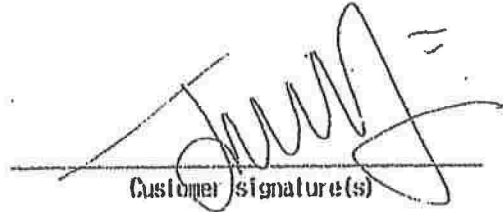
Acc	No.	Amount	Date	Transaction	Transit	Image Found
0836 1998 343	1	\$ 104,957.44	03/08/2013	Deposit	_0986	Yes
	2	\$ 94,972.00	03/18/2013	Investment_BMMC Depos	_0836	N/A
	3	\$ 95,261.47	06/26/2013	Direct Deposit_BMO GIC/CPG INV/PLA		N/A
	4	\$ 392,989.89	07/15/2013	Deposit	_0986	Yes
	5	\$ 80,000.00	07/31/2013	Transfer_0836-8983-929 3877		N/A
	6	\$ 50,000.00	07/31/2013	Canadian Draft_020437893 3877		Yes
	7	\$ 315,000.00	08/21/2013	Deposit	_3234	Yes
	8	\$ 150,000.00	09/09/2013	Transfer_0836-8983-929 0782		N/A
	9	\$ 100,000.00	10/07/2013	Canadian Draft_021248102 0782		Yes
	10	\$ 594,144.00	10/21/2013	Deposit	_0986	Yes
	11	\$ 78,800.00	10/21/2013	Deposit	_0986	Yes
	12	\$ 594,144.00	10/21/2013	Error Correction	_0986	N/A
	13	\$ 200,000.00	10/28/2013	Transfer_0836-8983-929 0986		N/A
	14	\$ 100,000.00	10/28/2013	Transfer_0836-8983-929 0986		N/A
	15	\$ 581,212.00	12/30/2013	Deposit	_3877	No
	16	\$ 30,000.00	03/31/2014	Transfer_0836-8983-929 0986		N/A
	17	\$ 80,000.00	03/31/2014	Canadian Draft_023692017 0986		Yes
	18	\$ 235,000.00	04/23/2014	Transfer_0836-8983-929 0752		N/A
	19	\$ 174,831.72	05/02/2014	Transfer_0836-8983-929 0986		N/A
	20	\$ 39,023.55	05/02/2014	Deposit	_0986	No
	21	\$ 32,000.00	08/11/2014	Deposit	_0986	Yes
	22	\$ 90,000.00	03/13/2015	Deposit	_0782	Yes
	23	\$ 120,000.00	08/31/2015	Deposit	_0986	Yes
	24	\$ 60,000.00	06/24/2016	Transfer_0836-8983-929 0986		N/A
	25	\$ 40,000.00	06/28/2017	Transfer_0836-8983-929 0986		N/A
0836 8983 929	26	\$ 230,000.00	03/11/2016	Deposit	_0986	Yes
	27	\$ 60,000.00	06/24/2016	Transfer_0836-1998-343 0986		N/A
	28	\$ 40,000.00	06/28/2017	Transfer_0836-1998-343 0986		N/A
	29	\$ 300,000.00	10/30/2017	Deposit	_0986	Yes
	30	\$ X 36,000.00	11/03/2017	Canadian Draft_021750043 0986		No
	31	\$ X 80,000.00	11/10/2017	Canadian Draft_021750192 0986		No
	32	\$ 60,000.00	11/10/2017	Canadian Draft_021750201 0986		No
	33	\$ 50,000.00	11/10/2017	Canadian Draft_021132992 0724		No
	34	\$ 40,000.00	11/20/2017	Canadian Draft_021750454 0986		Yes
	35	\$ 50,000.00	11/27/2017	Deposit	_0724	Yes
	36	\$ 32,677.33	11/27/2017	Canadian Draft_021131802 0724		Yes
	37	\$ X 50,000.00	11/27/2017	Canadian Draft_021131811 0724		No

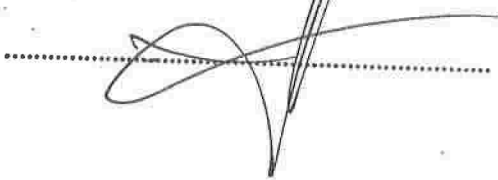
Transaction Record
Branch Copy

November 3, 2017 4:37:22 PM
Branch Transit: 0886
Operator: 025
Business Date: November 3, 2017
Card Number: 5007 6690 2727 9433
Authentication: Chip/PIN

Canadian Draft
Sequence Number (s): 064
Serial Number: 021750043
Source of Funds: 0836 8983 929 (Sav)
Amount: \$36,000.00
Fee: \$7.50

Canadian Draft
Sequence Number (s): 065
Serial Number: 021750052
Source of Funds: 0836 8983 929 (Sav)
Amount: \$5,400.00
Fee: \$7.50


Customer signature(s)

This is Exhibit "B" referred to in the
affidavit of OFF AURE
sworn before me this 8 day of
JUNE A.D. 2018


Bank of Montreal - Banque de Montreal
ARBUS SHOPPING CENTRE
UNITE 100 - 4180 VILLAGE STREET
VANCOUVER, BC CANADA V6L 0B4
CITE 51
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Dennis Fitzpatrick

From: Evans, Steven [sevans@millerthomson.com]
Sent: June-08-18 9:01 AM
To: Dennis Fitzpatrick
Subject: FW: PE Consulting Ltd. payee details [MTDMS-Legal.FID5333128]

STEVEN J. EVANS
Associate

Miller Thomson LLP
Pacific Centre, 400 – 725 Granville Street
Vancouver, British Columbia V7Y 1G5
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Please consider the environment before printing this email.

From: Ell, Tim [mailto:Timothy.Ell@bmo.com]
Sent: Wednesday, May 30, 2018 11:39 AM
To: Evans, Steven <sevans@millerthomson.com>
Cc: Lee, Andrew C K <andrewck.lee@bmo.com>; Jeang, Teresa <TERESA.JEANG@bmo.com>
Subject: Re: PE Consulting Ltd. payee details

Hello Mr. Evans,

Further to your original email, I have identified the payees you requested for the following two drafts:

- Draft #021131811, issued Nov. 25, 2017, was payable to **Li Tian**.
- Draft #021132992, issued Nov. 10, 2017, was payable to **Auto West BMW**. However, an image of the draft suggests it may have been redeposited back into the account.

Hope this is helpful. Please let us know if there is anything else we can assist with.

Thank you,

Tim Ell, BA
Assistant Branch Manager / Directeur du succursale adjoint

BMO Bank of Montreal / BMO Banque de Montréal
2102 West 41st Avenue

This is Exhibit "C" referred to in the
affidavit of JEFF ANSEL
sworn before me this 8 day of
JUNE A.D. 2018.

Vancouver, BC V6M 1Z2

timothy.ell@bmo.com
T/Tél. 604-718-2340
F/Télé. 604-668-1032

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ELLIS, ROADBURG
BARRISTERS & SOLICITORS
ASSOCIATES

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ELIOT M. ROADBURG

200 - 853 RICHARDS STREET,
VANCOUVER, B.C. V6B 3B4

TELEPHONE (604) 669-7131
FAX (604)669-7684

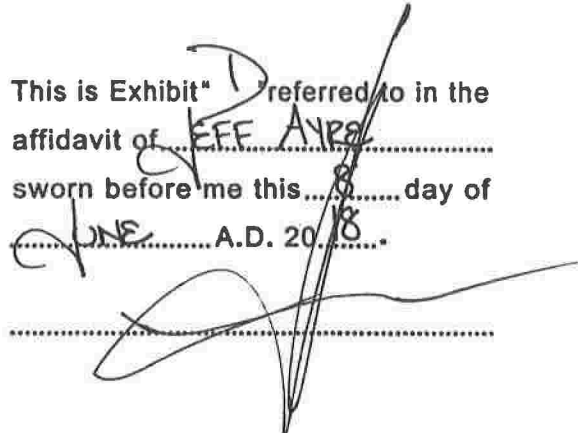
File No. 1407.1399

May 25, 2018

PE Consulting Ltd.
500-5811 Cooney Road
Richmond, British Columbia
V6X 3M1

Jizhe Yang
2791 Highview Place
West Vancouver, British Columbia
V7S 3E5

This is Exhibit "D" referred to in the
affidavit of EFF AYRS
sworn before me this 2 day of
JUNE A.D. 2018



Dear Sir/Madam:

Re: Bank of Montreal Mortgage No.3553252002

The writer is the lawyer for Bank of Montreal with respect to the above Mortgage. As such, we act exclusively in the interests of our client, your interests in this matter are not being protected by the writer and we urge you to obtain independent legal representation.

Bank of Montreal advises that the monthly payments are in arrears in the amount of \$46,643.75 as at April 26, 2018.

As a result of your default in your mortgage payments, Bank of Montreal has the right to accelerate the full balance due under the Mortgage. This balance is \$2,130,120.97 as of May 25, 2018 with a per diem rate of interest which is currently \$181.59 thereafter.

Bank of Montreal is, however, willing to allow you to bring your Mortgage into good standing, if you provide the following by June 4, 2018:

1. We must receive at this office a Bank draft payable to **Ellis, Roadburg, in trust** for the total sum of \$56,775.19, calculated as follows:

Arrears:	\$46,643.75
May 1, 2018 Payment:	\$ 9,328.75
Legal Costs in connection with demand:	\$ 466.69
Legal Costs to conclude reinstatement:	\$ 336.00
Total:	<u>\$56,775.19</u>

Partial or instalment payments will NOT be accepted.

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2. We must receive a copy of a void cheque for the Bank account from which the future Mortgage payments are to be deducted. If the account is not a chequing account, we must receive the bank account number from which the Mortgage payments are to be deducted.
 3. We must receive a copy of your current property tax statement that confirms the property taxes are paid up to date.
 4. We must receive a copy of your current strata fee statement, if applicable, showing that there are no outstanding strata arrears.
 5. We must receive a copy of your current valid fire insurance showing Bank of Montreal as first loss payee.
 6. The monthly payments thereafter are to be paid when due.


If items 1 through 5 are not completed by the stipulated date:

1. the full balance under the mortgage may at the option of the bank become due and payable;
2. legal action may be commenced against you without further notice; and
3. the quoted costs will increase significantly.

As a result of your default, any insurance you may have had regarding this mortgage has been cancelled.

If you have any questions, please contact the writer's legal assistant, Carissa Pitton, at 604.669.7131 ext. 27.

Yours truly,


Robert J. Ellis

rje.cp