District of Ontario

Division No.

Court No.

Estate No.

***ONTARIO***

**SUPERIOR COURT OF JUSTICE**

**IN BANKRUPTCY AND INSOLVENCY**

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| REGISTRAR • | ) | •DAY, THE • DAY |
|  | ) |  |
|  | ) | OF •, 20• |
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IN THE MATTER OF THE BANKRUPTCY OF

[**NAME & STYLE**]

**ORDER**

UPON THE APPLICATION of [**NAME]** (the “Bankrupt”), who filed an assignment in bankruptcy on the • **[DAY]** of **[MONTH]**, **[YEAR]**;

AND UPON READING the Report and Supplementary Report of the Trustee as to the Bankrupt's conduct and affairs;

AND UPON HEARING the submissions of the Trustee;

AND WHEREAS proof has been made of the following fact(s) under Section 173 of the *Bankruptcy and Insolvency Act*, namely: **[NTD: remove inapplicable s. 173 facts]**

**[** 173(1)(a) - the assets of the bankrupt are not of value equal to fifty cents on the dollar;

173(1)(b) - the bankrupt has omitted to keep such books of account as are usual and proper in the business carried on by the bankrupt and as sufficiently disclosed the business transactions and financial position of the bankrupt within the period beginning on the day that is three years before the date of the initial bankruptcy event and ending on the date of bankruptcy, both dates included;

173(1)(c) - the bankrupt has continued to trade after becoming aware of being insolvent;

173(1)(d) - the bankrupt has failed to account satisfactory for any loss of assets of for any deficiency of assets to meet the bankrupts liabilities;

173(1)(e) - the bankrupt has brought on, or contributed to, the bankruptcy by rash and hazardous speculations, by unjustifiable extravagance in living, by gambling or by culpable neglect of the bankrupt's business affairs;

173(1)(f) – the bankrupt has put creditors to unnecessary expense by a frivolous or vexatious defence to any action properly brought against the bankrupt;

173(1)(g) - the bankrupt has, within the period beginning on the day that is three months before the date of the initial bankruptcy event and ending on the date of the bankruptcy, both dates included, incurred unjustifiable expense by bringing a frivolous or vexatious action.

173(1)(h) - the bankrupt has, within the period beginning on the day that is three months before the date of the initial bankruptcy event and ending on the date of the bankruptcy, both dates included, when unable to pay debts as they became due, given an undue preference to any of the bankrupts creditors.

173(1)(i) – the bankrupt has incurred liabilities in order to make the bankrupt’s assets equal to fifty cents on the dollar;

173(1)(j) - the bankrupt has on any previous occasion been bankrupt or made a proposal to creditors;

173(1)(k) - the bankrupt has been guilty of any fraud or fraudulent breach of trust;

173(1)(l) - the bankrupt has committed an offence under this Act or any other statute in connection with the bankrupts property, the bankrupt or the proceedings there under;

173(1)(m) - the bankrupt has failed to comply with a requirement to pay imposed under section 68;

173(1)(n) - the bankrupt, if the bankrupt could have made a viable proposal, chose bankruptcy rather than a proposal to creditors as the means to resolve indebtedness;

173(1)(o) - the bankrupt has failed to perform the duties imposed on the bankrupt under this Act or comply with any order of the court. **]**

1. THIS COURT ORDERS that the Bankrupt be discharged upon completion and performance of the following conditions:
2. THIS COURT FURTHER ORDERS that the Bankrupt’s discharge shall be suspended for a period of• (•) months, concurrent to the conditions set out in paragraph 1 above.
3. THIS COURT FURTHER ORDERS that upon satisfaction of the payment condition set out in paragraph 1 and expiry of the suspension period set out in paragraph 2, an order of discharge shall issue.

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