

10-Sep-26

REGISTRY

This is the 1<sup>st</sup> Affidavit of Amy Salak  
in this case and was made on  
September 10, 2026.

No. S262220  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

OPTRUST JOYCE FINANCING CORP.

PETITIONER

AND:

5055 JOYCE HOLDINGS INC. and 5055 JOYCE PROPERTY INC.

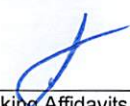
RESPONDENTS

**AFFIDAVIT**

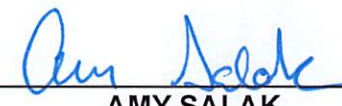
I, Amy Salak, paralegal, c/o McQuarrie Hunter LLP [**"McQuarrie"**], 1500 – 13450 102<sup>nd</sup> Avenue, Surrey, British Columbia, AFFIRM THAT:

1. I am a paralegal employed by McQuarrie, solicitors for Rivas Painting Ltd. [**"Rivas"**] and Hans Demolition & Excavating Ltd. [**"Hans"**], and as such, I have personal knowledge of the facts and matters deposed to herein.
2. I have reviewed the Application Response prepared on behalf of both Rivas and Hans and dated September 10, 2026, and adopt the terms and definitions set out therein, except where otherwise defined herein.
3. Attached as **Exhibit "A"** is a copy of the Hans Lien, filed on April 30, 2026.
4. Attached as **Exhibit "B"** is a copy of the Rivas Lien, filed on May 8, 2026.
5. I am informed and do believe that counsel for Rivas and Hans called counsel for the Applicant on September 9, 2026 to discuss the within application, however counsel for the Applicant did not answer.
6. Attached as **Exhibit "C"** is a copy of correspondence between McQuarrie and counsel for the Applicant on September 9, 2026.

AFFIRMED BEFORE ME at the City of  
Surrey, Province of British Columbia this 10<sup>th</sup>  
day of September, 2026.

  
A Commissioner for taking Affidavits within British Columbia

**GREGORY S. HOFF**  
Barrister & Solicitor  
McQUARRIE HUNTER LLP  
Suite 1500, 13450 - 102 Avenue  
Surrey, BC V3T 5X3  
604.581.7001

  
**AMY SALAK**

This is **Exhibit "A"** referred to in the Affidavit of Amy Salak affirmed before me at Surrey BC, this 10<sup>th</sup> day of September, 2026.



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A Commissioner for taking affidavits within  
British Columbia.



Builders Lien Act  
Claim of Lien  
Province of British Columbia

NEW WESTMINSTER LAND TITLE OFFICE  
APR 30 2026 15:24:45.001  
**CB2767534**

Application

Document Fees: \$0.00

Ian H. Kinman, MCQUARRIE HUNTER LLP Barristers  
and Solicitors  
1500 - 13450 102 Avenue  
Surrey BC V3T 5X3  
6045807111

I, **Jaspreet Singh Gill** of **12498 55 Avenue, Surrey BC V3X 3S9**, agent of the lien claimant state that:

1. **Hans Demolition & Excavating Ltd. , Inc No BC0448429**

of **12498 55 Avenue, Surrey BC V3X 3S9** claims a lien against the following land:

PID/Plan Number      Legal Description

**024-143-111      LOT I BLOCK 17 DISTRICT LOT 51 GROUP 1 NEW WESTMINSTER DISTRICT PLAN LMP37967**

2. A general description of the work done or material supplied, or to be done or supplied, or both, is as follows:

**Mold inspection and median works including supply and install concrete and drift pins, painting and prep tie-in point**

3. The person who engaged the lien claimant, or to whom the lien claimant supplied material, and who is or will become indebted to the lien claimant is:

**5055 Joyce Holdings Inc.**

4. The sum of **\$84,265.13** is or will become due and owing to **Hans Demolition & Excavating Ltd.** on **2026-04-30**

5. The lien claimant's address for service is:

**Ian Kinman, MCQUARRIE HUNTER LLP Barristers and Solicitors 1500 - 13450 102 Avenue, Surrey BC V3X 3S9**

Signature

X

Date (YYYY-MM-DD)

**2026-04-30**

**Note:** Section 45 of the *Builders Lien Act* provides as follows:

45 (1) A person who knowingly files or causes an agent to file claim of lien containing a false statement commits an offence.

(2) A person who commits an offence under subsection (1) is liable to a fine not exceeding the greater of \$2,000 and the amount by which the stated claim exceeds the actual claim.

**Electronic Signature**

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996, c 250, that you certify this document under section 168.41 (4) of the Act, and that an execution copy, or a true copy of that execution copy, is in your possession.

**Ian Howard  
Kinman QIXAS2**

Digitally signed by  
Ian Howard Kinman QIXAS2  
Date: 2026-04-30  
15:24:09 -07:00

This is **Exhibit "B"** referred to in the Affidavit of Amy Salak affirmed before me at Surrey BC, this 10<sup>th</sup> day of September, 2026.



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A Commissioner for taking affidavits within British Columbia.



Application

Document Fees: \$0.00

**McQuarrie Hunter LLP**  
**1500, 13450 102 Avenue**  
**Surrey BC V3T 5X3**  
**604-581-7001**

I, **Luis Manuel Rivas Arauz of 4721 Georgia Street, Burnaby BC V5C 2V7**, state that:

1. **Rivas Painting Ltd. , Inc No BC1027955**

of **4721 Georgia Street, Burnaby BC V5C 2V7** claims a lien against the following land:

| PID/Plan Number    | Legal Description                                                                    |
|--------------------|--------------------------------------------------------------------------------------|
| <b>024-143-111</b> | <b>LOT I BLOCK 17 DISTRICT LOT 51 GROUP 1 NEW WESTMINSTER DISTRICT PLAN LMP37967</b> |

2. A general description of the work done or material supplied, or to be done or supplied, or both, is as follows:

**Supply of labor and materials for painting.**

3. The person who engaged the lien claimant, or to whom the lien claimant supplied material, and who is or will become indebted to the lien claimant is:

**5055 Joyce Holdings Inc. (Inc. No. BC1306255)**

4. The sum of **\$553,135.34** is or will become due and owing to **Rivas Painting Ltd.** on **2026-05-08**

5. The lien claimant's address for service is:

**c/o McQuarrie Hunter LLP, Barristers & Solicitors 1500, 13450 102 Avenue, Surrey BC V3T 5X3**

Signature

X

Date (YYYY-MM-DD)

**2026-05-08**

**Note:** Section 45 of the *Builders Lien Act* provides as follows:

45 (1) A person who knowingly files or causes an agent to file claim of lien containing a false statement commits an offence.

(2) A person who commits an offence under subsection (1) is liable to a fine not exceeding the greater of \$2,000 and the amount by which the stated claim exceeds the actual claim.

**Electronic Signature**

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996, c 250, that you certify this document under section 168.41 (4) of the Act, and that an execution copy, or a true copy of that execution copy, is in your possession.

**Robert Winslow**  
**Goddard LW31VN**

Digitally signed by  
**Robert Winslow Goddard**  
**LW31VN**  
Date: **2026-05-08**  
**16:02:40 -07:00**

This is **Exhibit "C"** referred to in the Affidavit of Amy Salak affirmed before me at Surrey BC, this 10<sup>th</sup> day of September, 2026.



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A Commissioner for taking affidavits within  
British Columbia.

## Amy Salak

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**From:** Tickle, Vicki <vtickle@cassels.com>  
**Sent:** Wednesday, September 09, 2026 8:18 PM  
**To:** Tanya Motani  
**Cc:** Amy Salak; Olivia Chivers  
**Subject:** RE: OPTRUST JOYCE FINANCING CORP. v 5055 JOYCE HOLDINGS INC. and 5055 JOYCE PROPERTY INC., Vancouver Registry, Action No.: S262220 [IMAN-LEGAL.FID6916944]

You don't often get email from vtickle@cassels.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside the firm. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Tanya,

Sorry I missed your call earlier today; I was in a Teams meeting.

Happy to get on a call tomorrow. I am in court at 10 a.m. on another matter, but could speak from 11:30 onwards. Let me know when works and I can circulate a calendar invite.

Vicki

**Cassels** | **VICKI TICKLE** *SHE/HER/HERS*  
Partner  
t: +1 778 309 7954  
e: vtickle@cassels.com  
Cassels Brock & Blackwell LLP | [cassels.com](https://cassels.com)  
Suite 3100, Park Place, 666 Burrard Street  
Vancouver, BC V6C 2X8 Canada

---

**From:** Tanya Motani <tmotani@mcquarrie.com>  
**Sent:** Wednesday, September 09, 2026 11:27 AM  
**To:** Tickle, Vicki <vtickle@cassels.com>  
**Cc:** Amy Salak <asalak@mcquarrie.com>; Olivia Chivers <ochivers@mcquarrie.com>  
**Subject:** OPTRUST JOYCE FINANCING CORP. v 5055 JOYCE HOLDINGS INC. and 5055 JOYCE PROPERTY INC., Vancouver Registry, Action No.: S262220

**CAUTION:** External Email

Hi Vicki,

My name is Tanya Motani and I am working with Doug Conolly on the above-matter. We represent Rivas Painting Ltd. We tried to get a hold of you regarding the application we were served with on Friday, September 4<sup>th</sup>, returnable this Friday, September 11.

We were hoping to speak with you regarding same, kindly advise what time you are available today and the best number to reach you at.

Kind regards,

**Tanya Motani**

Associate

D 604.580.7130

[www.mcquarrie.com](http://www.mcquarrie.com)

**McQuarrie**

McQuarrie Hunter LLP | Barristers & Solicitors

Suite 1500, 13450 102 Avenue, Surrey, BC V3T 5X3

P 604.581.7001 F 604.581.7110 TF 1.877.581.7001

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