

## Jovita Dsa

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**From:** CAIRP <cairp\_acpir@cairp.ca>  
**Sent:** Thursday, March 10, 2022 10:55 AM  
**To:** Jovita Dsa  
**Subject:** CAIRP Newsletter: March 2022



### Chair's Message



The year 2022 is off to a very busy start at CAIRP. As we enter the third year of the pandemic, our industry has been significantly impacted across the country. It has been a time of reflection as members look to the future. Currently CAIRP is preparing a submission in response to the OSB's latest consultation focused on the Modernization of Physical Office Requirements for Licensed Insolvency Trustees, working closely with the Consumer Practice Committee and Provincial Associations. Our sincere thanks to members who completed the CAIRP member survey in February. The survey results are substantive and will be informing CAIRP's response to the consultation. The consultation deadline was recently extended

to March 31, 2022.

Following the release of Directive 6R4, CAIRP noted there were issues with the wording of the directive. These were brought to the attention of the OSB. In January 2022, the OSB asked CAIRP to provide comments on the proposed revisions. The feedback was provided, was well received and most of the suggestions were integrated into the revised text. Directive 6R5 was distributed to LITs on February 7, 2022.

At a recent meeting with the OSB, CAIRP discussed concerns particularly in the debt advisory marketplace that may warrant the OSB's attention, and that seem to be increasing in frequency and scope. CAIRP provided the OSB with examples of these including businesses attempting to

convince consumers they are LITs; new “firms” emerging that indicate they can find and arrange appointments with LITs although they have not advised the LIT firms of this service and seeking debtors’ personal information; and communications providing inaccurate descriptions of fees, roles, bankruptcy, consumer proposals and insolvency. The OSB share our concerns and reported there had been an increase in the number of complaints broadly. The OSB are in the process of fine-tuning how they will be proceeding and indicated they will keep us informed of developments in this area.

CAIRP participated in a roundtable discussion with Innovation, Science and Economic Development Canada (ISED) on February 25, 2022. The purpose of the meeting was to present our views as insolvency and restructuring professionals on the current and future economic impacts of the pandemic on Canadian businesses and in particular MSMEs, and have a fulsome discussion on CAIRP’s proposal to assist MSME’s access to the insolvency system and address the current gap. The CAIRP representatives provided a good overview of what was happening on the ground across the country along with a refresher on the MSME proposal. ISED staff advised they would be doing soundings with other stakeholders and it was agreed that further discussions were warranted on a number of files including the MSME issue. One topic identified for the next ISED/CAIRP meeting in April is the reference to insolvency and restructuring in the ISED Minister’s Mandate Letter which states the Ministry is to engage with provinces and seek feedback from universities, colleges, experts, lenders and other post-secondary education stakeholders to explore ways to better protect the public interest functions of public post-secondary educational institutions in insolvency and restructuring situations. Another topic, which ISED/CAIRP discussed briefly, is the two Private Member Bills in Parliament regarding the super-priority for pension deficits and special payments.

On February 4, 2022 the ARIL virtual conference was held and attracted approximately 840 attendees. As members are aware, CAIRP manages the event for ARIL and is a lead sponsor. The Conference Co-Chairs and Committee pulled together an excellent program. By all accounts, the event was a great success. Our thanks to all CAIRP members who participated as volunteers, sponsors and participants.

One of CAIRP’s interventions has been concluded successfully. CAIRP was granted intervenor status in the Sanaa Ismail Abed Ali vs. Attorney General of Canada case in BC and appeared before Justice Basran on December 15, 2021. The case looks at who bears the responsibility of paying for an interpreter in a summary administration bankruptcy. The Judge’s decision was issued on February 3, 2022 and seems to have adopted the arguments CAIRP made in its intervention. The Court held that the cost of an interpreter is not an administrative disbursement which would ordinarily be paid by the trustee and be subject to the \$100 maximum. Rather, the cost of an interpreter is an external disbursement. While a trustee has a duty to arrange for interpretative services, it is not responsible for the cost of such services within a summary administration if there are sufficient funds in the estate to pay same, although the trustee may have to absorb these costs if the funds in the estate are insufficient. A copy of the decision can be found [here](#). Dentons LLP (Tevia Jeffries) represented CAIRP on the matter.

Every year, CAIRP formally recognizes a few extraordinary members. The challenge is identifying the extraordinary among the exceptional. If you know a member that you believe has provided CAIRP with extraordinary service, please take the time to nominate this member for one of CAIRP’s awards: Fellow, Keith G. Collins Memorial Award, New Member Award or the Outstanding Volunteer Award. The detailed criteria for each award along with the nomination forms can be found on the CAIRP’s website [here](#). The nomination deadline is March 31, 2022.

Finally, on April 1, 2022 CAIRP will be introducing a new associate category called Insolvency Administrator Associate for those who have successfully completed the Insolvency Administration course and work for a CAIRP member. Please see below for more information.

As we head into spring, with refreshed hope that we have seen the last wave of COVID, we want to thank all of our staff and volunteers for their excellent work.

Stay safe and well,  
Jean-Daniel Breton

## Update Your Profile

With membership renewal season just around the corner, members, articling associates and life associates are encouraged to ensure that their member profile and contact information are up to date.

To do so, please log into your [CAIRP account](#) and click on “My Profile.” By selecting “Update Profile,” you can ensure that your employer, communications preferences and other information are all up to date. For members, this includes critical information which appears in your Find a CIRP search results. From your profile page, you can also select “Update Addresses” to ensure that your address is current. Your primary/first office address card will be used for membership renewal purposes.

If you have any questions, please contact Anh Nguyen at [anh.nguyen@cairp.ca](mailto:anh.nguyen@cairp.ca).

## Insolvency Administrator Associates

We are pleased to announce that the new associate category called “Insolvency Administrator Associate” will be launched on April 1st this year. To be eligible for this category, an individual needs to have successfully completed CAIRP’s Insolvency Administration course and be employed by a member. The IA Associate would also be required to complete a minimum of three hours of Insolvency Administrator related professional development annually, which will be provided as part of the annual dues which have been set by the Board at \$150. The application form will be made available as part of the membership renewal process on April 1st.

IA Associates are entitled to several benefits including three hours of targeted professional development offered in both English and French, discounted rates for the National Webinar Series, professional recognition as an Insolvency Administrator Associate of CAIRP, listing in CAIRP’s membership directory and access to CAIRP’s publications including the newsletter and *Rebuilding Success* magazine and to the OSB-CAIRP virtual session. As professional Associates of CAIRP, the Insolvency Administrator Associates would be expected to adhere to CAIRP’s Bylaws, Rules of Professional Conduct and Standards of Professional Practice, in as much as they are applicable given their role.

Employers of IA Associates also receive benefits such as targeted professional development offerings for their Insolvency Administrators including industry updates on themes relevant for the Administrators as well as CAIRP maintaining a record of their professional development. Most importantly, the IA Associate category helps to develop and professionalize the role within the insolvency and restructuring industry and encourages more entrants to firms and the industry.



## Media & Communications

In our effort to raise the profile of the industry, below is an overview of CAIRP's promotional efforts over the last few months.

CAIRP issued a [press release](#) in February 2022 on the OSB's Q4 2021 Canadian Insolvency Statistics report. The release received national coverage on CBC News and radio and the [Toronto Star](#) to name a few.

We also recently published the Spring/Summer 2022 edition of CAIRP's biannual magazine *Rebuilding Success*. This edition includes an exciting line up including a feature story on CAIRP's new Chair, Jean-Daniel Breton; the 2022 post-pandemic economic outlook by Douglas Porter, Chief Economist of BMO Financial Group; and mortgage lenders' views of the real estate markets in some of Canada's biggest cities. To read this edition, please click [here](#).

Our members also put together insightful blogs tied to trending themes including [Financial Resolutions for the New Year](#) and [Love Your Money](#). For the full list of blogs, please click [here](#). If you would like to submit a blog, please write to [jovita.dsa@cairp.ca](mailto:jovita.dsa@cairp.ca).



## Education

Planning and development for 2022 is well underway with the various CQP committees working hard on their annual tasks. A survey of all 2020 and 2021 CNIE writers was distributed in mid-February. We were pleased to have a response rate of 66% to the survey and have received valuable feedback from candidates to best support their journey in completing the CQP.

The OSB has sent out invitations to all the successful 2021 CNIE writers for the Oral Boards, which will be commencing in the next few months. We wish all the candidates success as they take this important step in becoming a LIT.

The Practical Course in Insolvency Counseling (PCIC) examination was held on February 17, 2022 with 26 writers. This program is designed for individuals who intend on providing insolvency counselling to individual bankrupts and consumer debtors on behalf of LITs. It is also a requirement of the CQP and to become a CIRP. The PCIC exam is offered twice a year, with the next one taking place on June 30, 2022. Registration for the PCIC course is now open and the exam registration deadline is May 31, 2022. To apply to the PCIC program, you can do so [here](#).

The CQP renewal project is still actively seeking content creators and exam question writers. CAIRP will provide the required support (professional writers, transcribers, editors) for anyone interested in participating. Please share your wisdom with the next generation of CIRPs, by reaching out to [Gina Létourneau](#), Senior Advisor, Education.



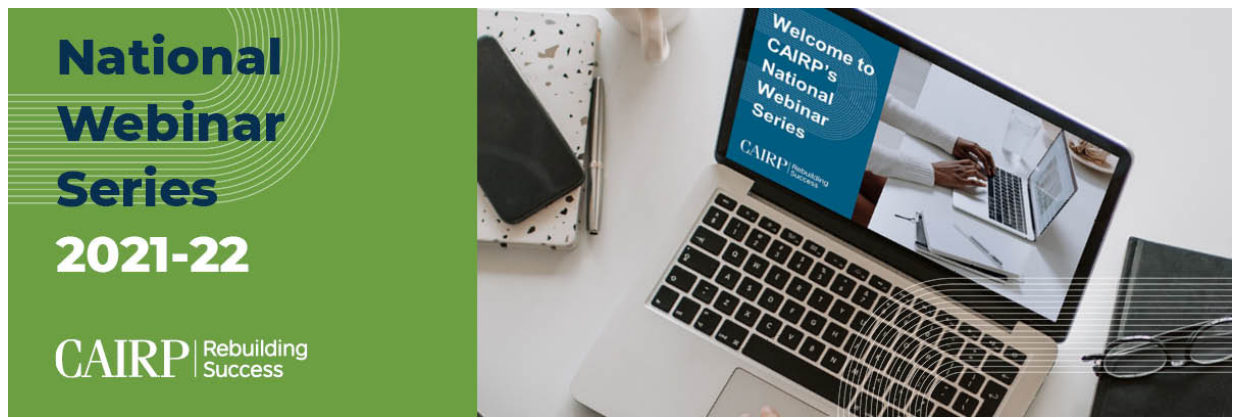
## 2022 ARIL Virtual Conference

The 2022 ARIL Virtual Conference went off successfully. The Conference was attended by over 840 attendees and featured compelling conversations between experienced practitioners, “next gen” participants, and a truly diverse roster of your peers from across the country.

But the fun isn't over yet – attendees can watch the recorded sessions as well as listen to the ARIL Podcast Program by logging back into the virtual conference site. The sessions and the podcasts will be available for attendees to enjoy until March 31st, 2022.

Thank you to the Co-Chairs: Chief Justice Suzanne Duncan, Guylaine Houle, and Linc Rogers and the 2022 ARIL Conference Committee: Kelly Bourassa, Virginie Gauthier, Adrienne Ho, Rob Hunt, Tevia Jeffries, Christian Lachance, Jennifer McCracken, Cassie Riglin, Edward Sellers, Jennifer Stam and Elsir Tawfik whose dedication and commitment made this conference possible.

Don't forget to follow [ARIL's LinkedIn](#) page to stay up to date. If you have any questions, please email Natalie Alfano [natalie.alfano@cairp.ca](mailto:natalie.alfano@cairp.ca) or Josephine Song [Josephine.song@cairp.ca](mailto:Josephine.song@cairp.ca).



## National Webinar Series: Available Until March 31st, 2022

The deadline to watch all 22 on-demand webinars is fast approaching. These webinars have received almost over 1,600 views so far. Please click [here](#) to register for the webinars. Unfortunately, we will not be able to extend the deadline to watch the webinars.

Kindly note that each webinar counts towards one hour of Type 1 MPD, unless otherwise stated. Attendance at CAIRP online events (e.g., webinars) can be counted as Approved Professional Development Program (Type I) activities by which members are expected to have seven hours of professional development by fiscal year ending March 31, 2022.

Are you interested in professional development? Does putting together content for your fellow peers sound like fun? We are always looking for new CAIRP members to join our professional development planning committees. If you are interested and would like to learn more, please email Natalie Alfano [natalie.alfano@cairp.ca](mailto:natalie.alfano@cairp.ca).



## 2022 Honours and Awards: Nominate Someone Exceptional

The deadline to nominate your peers for CAIRP's annual awards is approaching. If you know someone who has done exceptional work for our association, we encourage you to

nominate him/her for one of CAIRP's prestigious awards by **March 31, 2022**. Below are the award categories:

- New Member's Award of Merit
- Outstanding Volunteer Award
- Keith G. Collins Award
- Fellow Chartered Insolvency and Restructuring Professional (FCIRP) Recipient Award

The 2022 award nomination forms can be found [here](#). If you have any questions, please contact Anh Nguyen at [anh.nguyen@cairp.ca](mailto:anh.nguyen@cairp.ca).

## In Memoriam

On behalf of CAIRP, we extend our deepest condolences to the family and friends of Laura Gyldenbjerg, who passed away on January 19, 2022. Laura was the President of Laura Gyldenbjerg & Associates Inc. and has been a member of CAIRP since 2005.

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