

Short Form Notice

NOTICE OF CLASS ACTION SETTLEMENT APPROVAL

Were you a resident or visitor at 235 Gosford Boulevard, Toronto, Ontario during the fire that took place on November 15, 2019? If so, a proposed class action settlement affects you. Please read this notice carefully. Your legal rights will be affected even if you do nothing.

Elmpark Manor Apartments and Ronkay Management Inc. have agreed to settle a certified class action involving people who lived at or were visiting 235 Gosford Boulevard during a fire that took place at the building on November 15, 2019. The Ontario Superior Court of Justice has approved the settlement.

This notice provides class members with basic information about the lawsuit and settlement. Further information can be found online at [Gosford Apartment Fire - Diamond and Diamond Lawyers](#). Class members are strongly encouraged to read the long form notice available at [Gosford Apartment Fire - Diamond and Diamond Lawyers](#).

If you would like help to better understand this notice, you can reach out to the lawyers for the class through their contact information below (page 3).

What is the class action about?

On November 15, 2019, a fire broke out at a residential high-rise building at 235 Gosford Boulevard, Toronto, Ontario (**Gosford Apartments**). Hundreds of residents were displaced by the fire and one person was killed. The class action alleges that the fire was the result of the Defendants' failure to properly maintain Gosford Apartments. The Defendants deny the Plaintiff's allegations and have not admitted to any wrongdoing.

Who is included?

To be eligible for payment, you must be a member of the class, which is defined as follows:

All persons in Canada (including their estates, executors or personal representatives) who on November 15, 2019, at the time of the Fire, regularly resided in and/or were visiting the Premises (the "Class Members").

The Sub-Classes are defined as:

All persons in Canada (including their estates, executors or personal representatives) who on November 15, 2019, at the time of the Fire, regularly resided in and/or were visiting the Premises (the "Class Members").

All persons in Canada who on November 15, 2019 were tenants of the Premises, pursuant to a lease agreement (the "Tenants Class");

All persons in Canada who on November 15, 2019 were tenants of the Premises, pursuant to a lease agreement and who did not receive temporary accommodations from the Owner Defendant and who have not returned to live at the Premises (the “Tenants Class I”);

All persons in Canada who on November 15, 2019 were tenants of the Premises, pursuant to a lease agreement and who did not receive temporary accommodations from the Owner Defendant and who have resumed living at the Premises (the “Tenants Class ii”);

All persons in Canada who on November 15, 2019 were tenants of the Premises, pursuant to a lease agreement and who received temporary accommodations from the Owner Defendant and who have not returned to live at the Premises (the “Tenants Class iii”);

All persons in Canada who on November 15, 2019 were tenants of the Premises, pursuant to a lease agreement and who received temporary accommodations from the Owner Defendant and who have resumed living at the Premises (the “Tenants Class iv”);

All persons in Canada who on November 15, 2019 were regularly residing at the Premises, but not lessors (the “Residents Class”); and

All persons in Canada who on November 15, 2019 were visitors or guests at the Premises (the “Visitors Class”).

If you are not sure whether you are a member of the class, you may contact Class Counsel for assistance.

If you are a class member, and you have not opted out of this proceeding, you are bound by the settlement and eligible to claim compensation.

What Does the Settlement Provide?

Elmpark Manor Apartments and Ronkay Management Inc. will pay CAD \$650,000.00 (the “**Settlement Fund**”) to resolve the class action. Subject to the Courts’ approvals, after class counsel fees, disbursements, and administration costs, the remaining funds may be used to provide the following, to eligible claimants who submit valid and timely claims (subject to the settlement terms and any *pro rata* adjustments):

- Each Class member within the Residents Class and Tenants Class presenting a valid Claim will be eligible to receive a Monetary Benefit of up to \$1,119.63.
- Each Class member within the Visitors Class presenting a valid Claim will be eligible to receive a Monetary Benefit of up to \$25.

- **Residual Balance.** If there are any funds leftover after payments to Class members are calculated, each member of the Residents Class and Tenants Class will receive a proportional increase in their payment, up to a maximum of \$5,000 each.
- ***Pro Rata Adjustments.*** In the event that the value of valid Claims for Monetary Benefits exceeds the remaining funds available from the Settlement Amount after deduction of Class Counsel Fees and Disbursements, the amount of Monetary Benefits granted will be reduced *pro rata* accordingly.
- ***Cy Pres Payment*** In the event that there are any funds leftover after payments to Class Members following a payment of up to \$5,000 to each member of the Residents Class and Tenants Class, any residual funds shall be donated to Pro Bono Ontario.

Your options and what they mean

If you are a Class Member, you have the following options:

- **Make a claim:** You may submit a claim for compensation. To do so, you must complete a Claim Form and send it to GosfordSettlement@diamondlaw.ca by **September 16, 2026 at 5:00pm**. A copy of the Claim Form is available at: [Gosford Apartment Fire - Diamond and Diamond Lawyers](#). It is essential that you submit your Claim Form before the deadline.
- **Do Nothing.** If you do not submit a claim for compensation under the settlement before the deadline, you will give up the opportunity to obtain compensation for any harm related to the fire at 235 Gosford Boulevard on November 15, 2019. You will not be able to sue for damages resulting from the fire at a later date.

Do you know any other class members?

Please share this information with them.

Class Counsel

Diamond & Diamond Lawyers LLP act as class counsel. You will not need to pay any legal fees out of your own pocket; however, if you retain another lawyer or representative then you must pay fees, disbursements and taxes associated with their services.

For more information and to access the settlement agreement, the claim forms, important deadlines, and any further updates, please visit [Gosford Apartment Fire - Diamond and Diamond Lawyers](#) or contact class counsel:

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In case of discrepancies between this notice and the settlement agreement, the settlement agreement prevails.

The publication of this notice has been approved by the Ontario Superior Court of Justice.