

FORM 82

Report of Trustee on Bankrupt's
Application for Discharge
(Subsection 170(1) of the Act)

(Title Form 1)

| | | | |
|-------------------------------|---|-----------------------------------|-----------------------------------|
| Date of bankruptcy: | | Date of initial bankruptcy event: | |
| Marital status: | | | |
| Type of employment: | Number of persons in household family unit, including bankrupt: | | |
| AMOUNT OF LIABILITIES | | | |
| | Secured | Preferred | Unsecured |
| Declared | \$ | \$ | \$ |
| Proven | \$ | \$ | \$ |
| AMOUNT OF ASSETS | | | |
| Description | Value as per Statement of Affairs | Amount realized | Estimate of assets to be realized |
| | \$ | \$ | \$ |
| TOTAL | | | |
| ANTICIPATED RATE OF DIVIDENDS | | | |
| Preferred creditors: | | Unsecured creditors: | |

A: CAUSES OF BANKRUPTCY

1. Provide details of the causes of bankruptcy:

B: INFORMATION CONCERNING THE FINANCIAL SITUATION *(The same method of calculation must be used to establish the available monthly income of the bankrupt and the family unit at date of bankruptcy and at date of this report. Explain any material changes.)*

2. (a) Available monthly income of the bankrupt at date of bankruptcy
(Same amount as line (7) on Form 65): \$ _____
- (b) Available monthly income of the bankrupt at date of this report: \$ _____
3. (a) Available monthly income of the family unit at date of bankruptcy
(Same amount as line (8) on Form 65): \$ _____
- (b) Available monthly income of the family unit at date of this report: \$ _____

C: CONDUCT OF THE BANKRUPT

4. (a) Was the bankrupt required to pay to the estate an amount established by the Directive on Surplus Income? *(If yes, attach Appendix A)* Yes No
- (b) Could the bankrupt have made a viable proposal rather than proceeding with bankruptcy? *(If yes, attach Appendix A)* Yes No
5. (a) Did the bankrupt fail to perform any of the duties imposed on the bankrupt under the Act? *(If yes, provide details)* Yes No
- (b) Can the bankrupt be justly held responsible for any of the facts referred pursuant to section 173 of the Act? *(If yes, provide details)* Yes No
- ©) Did the bankrupt commit any offence in connection with the bankruptcy? *(If yes, provide details)* Yes No
6. (a) Did the bankrupt ever make a proposal under the *Bankruptcy and Insolvency Act*? *(If yes, provide details)* Yes No
- (b) Has the bankrupt been bankrupt before either in Canada or elsewhere? *(If yes, provide details)* Yes No
7. Were inspectors appointed in this estate?
(Provide details if the trustee has reasonable grounds to believe that the inspectors will not approve this report. Attach a copy of the resolution.) Yes No

D: DISCHARGE OF THE BANKRUPT

8. (a) Is it the intention of the trustee to oppose the bankrupt's discharge? *(If yes, provide details)* Yes No
- (b) Does the trustee have reasonable grounds to believe that a creditor or the Superintendent will oppose the bankrupt's discharge for a reason other than those set out in section 173(1)(m) or (n) of the Act? *(If yes, provide details)* Yes No
9. Did the bankrupt refuse or neglect to receive counselling pursuant to the Directive on Counselling in insolvency matters? *(If yes, provide details)* Yes No
10. Are there other facts, matters or circumstances that would justify the Court in refusing an absolute order of discharge? *(If yes, provide details)* Yes No
11. Other pertinent information? *(e.g. Exceptional personal circumstances, preferential payments, etc. If yes, provide details.)* Yes No

Additional details as required

Number

Additional information

Dated at _____, this ____ day of _____, _____.

Trustee

APPENDIX A

A: AMOUNT REQUIRED TO BE PAID MONTHLY BY THE BANKRUPT

Monthly amount required by the Directive on Surplus Income
(Same amount as line (15) on Form 65): \$ _____ (1)
 Amount bankrupt has agreed to pay monthly *(Same amount as line (14) on Form 65):* \$ _____ (2)
 Difference between amounts at lines (1) and (2): \$ _____
 Amount bankrupt has agreed to pay monthly to repurchase assets
(Same amount as line (13) on Form 65, provide details): \$ _____ (3)
 Total anticipated payments, lines (2) + (3): \$ _____

B: SURPLUS INCOME

1. Did bankrupt make all required payments pursuant to section 68 of the Act? *(If no, provide details)* No Yes
2. Does amount established to be paid correspond with Directive on Surplus Income?
(If no, provide details of any extenuating circumstances that would affect amount to be paid as per Directive) No Yes
3. Was the bankrupt made aware of the possibility of requesting mediation? No Yes
4. Any amendment or material changes during period of bankruptcy? *(If yes, provide details)* Yes No
5. Was mediation necessary under subsection 68(6) or 68(7) of the Act to determine the amount to be paid by the bankrupt? Yes No

C: RECOMMENDATION ON THE BANKRUPT'S DISCHARGE

(Do not complete this part if:

- the bankrupt has previously been a bankrupt;*
- the discharge of the bankrupt is opposed on grounds other than those mentioned at section 170.1 of the Act; or*
- the bankrupt has refused or neglected to receive counselling pursuant to the Directive on Counselling in insolvency matters)*

6. Recommendation of the trustee pursuant to section 170.1 of the Act:
 - bankrupt to be discharged without conditions; *(Provide justification for unconditional discharge)*
 - bankrupt to be discharged subject to conditions (deemed opposition) based on the following grounds under subsection 170.1(2) of the Act; *(Provide details, amount and period of payments)*
 - the bankrupt has not complied with a requirement imposed on the bankrupt under section 68 of the Act;
 - the total amount paid to the estate by the bankrupt is disproportionate in relation to the bankrupt's indebtedness and financial resources;
 - the bankrupt could have made a viable proposal, but chose to proceed with bankruptcy, rather than make a proposal as the means to resolve the indebtedness;
 - bankrupt to be discharged after fulfilling obligations under mediation agreement. *(Provide details, amount and period of payments.)*
7. Does the trustee have reasonable grounds to believe that the debtor agrees to the conditions recommended by the trustee? Yes No
8. Was the bankrupt made aware of the possibility of requesting mediation? Yes No

Dated at _____, this ____ day of _____, _____.

Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.