

COURT OF APPEAL FOR ONTARIO

CITATION: World Financial Solutions Inc. v. 2573138 Ontario Ltd., 2024 ONCA  
844

DATE: 20241118

DOCKET: COA-24-CV-0267

Pepall, Nordheimer and Zarnett JJ.A.

BETWEEN

World Financial Solutions Inc.

Plaintiff

and

2573138 Ontario Ltd. and Marguerite Alfred

Defendants (Appellants)

and

Elise Blouin also known as Elizabeth Blouin also known as Susan Elizabeth  
Blouin, Sieta & Pikes Development Limited, 2868395 Ontario Limited\*,  
2664358 Ontario Limited, Mukesh Bhardwaj, David Lorne Reano, 2870058  
Ontario Ltd. BIP Management Corporation, Olympia Trust Company,  
Gary Grieco, Ann Grieco, Arye Lankar, FGC Inc, 2839724 Ontario Inc,  
Theodorus Van Der Gulik, DTAM Investments Group Inc., Prince Aujla  
Medicine Professional Corporation, Lucia Van Der Gulik, First  
Financial Consulting Services (FFCS) Ltd, 2790461 Ontario Inc c.o.b.  
Private Lenders Inc operating as Boutique Lending

Third Parties (Respondent\*)

Granville Cadogan, for the appellants

Tom Arndt and Andrew D. Pelletier, for the respondent

Heard and released orally: November 15, 2024

On appeal from the order of Justice R. Lee Akazaki of the Superior Court of Justice, dated February 27, 2024.

### REASONS FOR DECISION

[1] The motion judge granted the respondent 2868395 Ontario Limited's motion and made an order directing the Registrar of the Land Registry Office to delete a specific instrument. That instrument registered the appellants' third-party claim on title to specific properties located in Harcourt, Ontario.

[2] Prior to this hearing, the court raised with the parties whether this court has jurisdiction to hear this appeal. Having heard submissions from the parties, we have concluded that we do not have jurisdiction.

[3] The motion was brought under the *Land Titles Act*, R.S.O. 1990, c. L.5. Section 27 of that Act reads:

Any person affected by an order made under this Act by a judge of the court may appeal to the Divisional Court within 30 days of the date of the decision and, subject to the rules, in like manner as in the case of other appeals to that court.

[4] This section was considered by this court in *CIBC Mortgages Inc. (c.o.b. Firstline Mortgages) v. Computershare Trust Co. of Canada*, 2015 ONCA 846, 342 O.A.C. 49. In particular, the court considered the argument that s. 27 only applied to orders made by the Director of Land Registration or the Director of Titles under s. 26, after a hearing. This court rejected that argument. The court said, at para. 8:

Section 24 and the other provisions referred to above specifically contemplate applications coming directly to a Superior Court judge. The heading "Further appeal" fails to reflect that aspect of the statutory scheme and cannot deprive s. 27 of its ordinary meaning that "any person affected by an order made under this Act" (emphasis added) has an appeal to the Divisional Court.

[5] It is our view that the decision in *CIBC Mortgages* is dispositive of the jurisdiction issue. Any appeal from the order of the motion judge lies to the Divisional Court, not to this court.

[6] The appeal is quashed. Since the jurisdiction issue was raised by the court, not by the parties, we make no order as to costs.

"S.E. Pepall J.A."  
"I.V.B. Nordheimer J.A."  
"B. Zarnett J.A."