

ONTARIO  
SUPERIOR COURT OF JUSTICE

THE HONOURABLE MADAM  
JUSTICE FRANK

FRIDAY, THE 8<sup>th</sup>  
DAY OF JANUARY, 2010

BETWEEN:

GERRY IABONI and ANNA IABONI

Applicants

and

IVAN CESAR MOLINA and RUTH ELIZABETH MOLINA

Respondents

JUDGMENT

**THIS MOTION**, made by the Plaintiffs for an order for, *inter alia*, summary judgment, was heard this day at the Court House, 393 University Avenue, Toronto, Ontario, M5G 1E6.


**ON READING** the Motion materials, filed, and upon hearing the submissions of counsel:

1. **THIS COURT ORDERS** that the Defendants, Ivan Cesar Molina and Ruth Elizabeth Molina, are liable for the payment of the mortgage arrears and interest in the amount of \$143,205.81;
2. **THIS COURT ORDERS** that his Judgment bears interest at the rate of 8.5% per annum;
3. **THIS COURT ORDERS** that the Plaintiffs are hereby entitled to costs of this action and this motion fixed at 63,989.26 plus GST payable by the Defendants;

4. **THIS COURT ORDERS** that a Writ of Possession shall be issued in favour of the Plaintiff to the Sheriff of the City of Toronto, order the Sheriff to place the Plaintiff in possession of the property described as follows:

UNIT 6, LEVEL 13, METROPOLITAN TORONTO CONDOMINIUM PLAN NO. 710, PT LT 28 CON B, FRONTING THE HUMBER; PT OF CON C, BROKEN LAND FRONTING THE HUMBER, PT 3 66R10680 AS IN SCHEDULE 'A' OF DECLARATION B911807 ETOBICOKE, CITY OF TORONTO. Property Identification Number 11710-0149 (LT).

Date January 8, 2010

Signed by 

Address of  
court office 393 University Avenue  
Toronto, Ontario M5G 1E6

ENTERED AT / INSCRIT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

JAN 11 2010

AS DOCUMENT NO.:  
À TITRE DE DOCUMENT NO.:  
PER / PAR:



**LABONI et al.**  
Plaintiffs

-and-

**MOLINA et al.**  
Defendants

Court File No. CV-09-379770

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
  
PROCEEDING COMMENCED AT  
TORONTO

**JUDGMENT**

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