

FORM 45

Notice to Lessor to Disclaim or Resiliate a Lease by Commercial Tenant
(Rule 95)

To _____, Lessor

Take notice that:

1. A proposal (*or* a notice of intention to make a proposal) in respect of the undersigned commercial lessee was filed under subsection 62(1) (*or* 50.4(1)) of the Act on the _____ day of _____, ____

2. Pursuant to subsection 65.2(1) of the Act, the commercial lessee hereby gives you, the lessor, 30 days' notice of its disclaimer or resiliation of the lease that the lessee signed on the _____ day of _____
_____, which lease granted possession of the property situated at

_____.

3. The disclaimer or resiliation of the lease will become effective on the _____ day of _____.

4. You may apply to the court, within 15 days after the day on which you are given this notice, for a declaration that subsection 65.2(1) of the Act does not apply in respect of the lease mentioned above.

5. If you make such an application, the court, on notice to such parties as it may direct, shall make such a declaration unless the commercial lessee satisfies the court that the lessee would not be able to make a viable proposal, without its disclaimer or resiliation of the lease and all other leases that the lessee has disclaimed or has resiliated under subsection 65.2(1) of the Act.

Dated at _____, this _____ day of _____.

Commercial Tenant