



Press Release

Reconveyance of the Sports Complex by Groupe Thibault to the Town of Pincourt

It is with regret that Groupe Thibault has come to the decision to terminate its plans to complete the Pincourt Sports Complex. The new requirements imposed by the financial institutions involved have made it difficult to imagine that the project could remain viable, especially since, under the legal framework in place, the Town of Pincourt could not agree to the requirements in question.

It should be recalled that Groupe Thibault was working to finish the Pincourt Sports Complex until a competing group, which wished to build a similar complex in a neighbouring municipality, contested the agreement between Groupe Thibault and the Town of Pincourt before the Superior Court of Québec. This competitor claimed, among other things, that the complex had not been ceded at its fair value, namely a sum of \$339,000, with the condition that the facility had to be completed. At the time, the investment amounted to nearly \$6 million.

Previously, the same competing group had attempted to purchase the Complex for the sum of \$1 along with a series of other conditions, to which the Town of Pincourt could not consent due to municipal legislation.

The Superior Court found in favour of the Town of Pincourt, but the competing group then went to the Québec Court of Appeal. The Town had prepared an application for a stay of proceedings, which the Court was preparing to review, when the Ministère des Affaires Municipales et de l'Occupation du Territoire interfered in the matter. The Town was taken by surprise by its intervention, particularly as it had consulted the Ministère before signing the agreement with Groupe Thibault to ensure the agreement was admissible.

The Court of Appeal heard the case, taking into account the Ministère's intervention, and found in favour of the Town of Pincourt. The Town has always questioned the Ministère's actions, especially as a number of agreements similar to the one signed by the Town and Groupe Thibault had already received the backing of the same Ministère.

The substantial delays in the project and the insecurity that they created for the financial institutions involved, which always have reservations about this type of facility, soon led them to change their position vis-à-vis project financing and to require guarantees that undermined the project's viability.

According to the deed of sale, the Town was required to make a decision within five years of the sale. The Town Council therefore decided to demand that the building be returned for the initial purchase price of \$339,000, less the taxes payable, for a net amount of \$241,170.06. These sums were provisioned and are therefore available for the reconveyance.

The Mayor of Pincourt, Mr. Yvan Cardinal, was very categorical about the Town's approach to the Sports Complex: "As much as we wanted the community to have a facility of the kind for the benefit of all residents, we have a responsibility to our citizens in regard to our financial security. We are currently looking at several avenues, but it is imperative that this matter be resolved one way or another as soon as possible."



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In terms of the options the Mayor referred to, the Town Manager, Michel Perrier, provided this explanation: "We are currently looking at various scenarios, ranging from completing the facility to giving it a new vocation and demolishing it outright. We sold off the front portion of the lot, where the Onyx project was built. That transaction brought \$1.5 million into the Town's coffers, for the smallest portion of this large lot. As a result, we aren't worried about securing positive benefits for the Town."