

# MARC PAYEUR

Professional Corporation - Société professionnelle

Chartered Professional Accountant - Comptable professionnel agréé

October 11, 2018

Mrs Deirdre Moore  
7 Vanson Avenue  
Ottawa, ON K2E 1P8

Dear Mrs Moore,

I examined the documentation that you supplied me which was included in the Superior Court of Justice, Family Court, Court File Number FC-15-2446-0, Form 14A: Affidavit (General) dated August 29, 2018.

- 1) You asked me to determine the nature of the dividends that were reported on the "Income Tax and Benefit Returns" (tax returns) for you and your ex-husband, Jonathan William Kiska, for the years included in the documentation which were 2015 and 2017. Your Notices of Assessment for 2013 and 2014 were also provided and showed clearly that the dividend reported on are assessed as line 180 - Ineligible dividends other than eligible dividends.

The income tax returns, slips and Notices of Assessment included with the documentation are missing some pages but overall the essential information to do the dividend determination can be found. The T5 Statement of Investment Income that were included clearly indicate that all dividends declared are Dividends other than Eligible Dividends with the appropriate boxes on the slips properly completed, namely Actual amount of dividends other than eligible dividends (box 10), Taxable amount of dividends other than eligible dividends (box 11), Dividend tax credit for dividends other than eligible dividends (box 12). The T5 for 2015 from ADVISORONTRACK INC. was an Amended T5 and the one for 2017 is handwritten over the amounts reported for 2016.

The income tax returns for both you and your ex-husband reported accurately the amounts reported on the T5 slips at box 11, namely "Taxable amount of dividends other than eligible dividends" on line 120 - Taxable amount of dividends (eligible and other than eligible) from taxable Canadian corporations (Attach Schedule 4). Except for your 2017 tax return which showed the amount from line 120 properly reported also on line 180 - Taxable amount of dividends other than eligible dividends, included on line 120, from taxable Canadian corporations, none of the other returns add the amount from line 120 reported also on line 180 which would have been the same amount and the proper way of reporting it. However, per the Notices of Assessment, the returns were correctly assessed in accordance with the amounts reported on the T5 Statement of Investment Income (boxes 11 and 12).

In conclusion, the amounts of dividends reported on the tax returns for both, even if line 180 was not completed, were Taxable amount of dividends other than eligible dividends (box 11 from the T5) and the Dividend tax credit for dividends other than eligible dividends (box 12 from the T5) were properly claimed and also assessed by the Canada Revenue Agency as per the Notices of Assessments. This is contrary to some of the assertions in the Form 14A: Affidavit (General) dated August 29, 2018 (referred above).

This Exhibit 'A' referred to in the  
Affidavit of Deirdre Moore  
sworn before me at the City of Ottawa, this  
5<sup>th</sup> day of February, 2019.  
*[Signature]*  
A Commissioner for taking affidavits

784 Taylor Creek Drive, Suite 100  
Ottawa, Ontario  
Canada K4A 0Z9

Tel.: (613) 830-2020

Fax: (613) 837-8084

Email: MPayeur@MarcPayeur.com

to Wade Smith  
(again) Oct 16/18  
from Deirdre Moore

The confirmation  
is RBC SB Box

again!

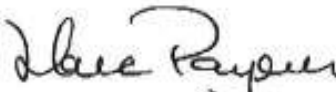
Tab A p 1/2  
1/2  
Tab 5 A 3/6

- 2) You also asked me to look at the amounts reported in the Exhibit "D" and Exhibit "E" referred to in item 9. in the Form 14A: Affidavit (General) dated August 29, 2018 (referred above) and created from DivorceMate.

Here are my observations:

- a) You should obtain the justification as to why the Gross Employment Income attributed to you in the two scenarios of \$30,000 are significantly more than either the average of the previous three years of approximately \$11,223 or the highest employment income reported of \$17,895 in 2015.
- b) In both Exhibit "D" and Exhibit "E" on page 2 of 3, I fail to understand why there is a discrepancy between the amount reported on the line "Difference between Taxable and Actual CND dividends (CSG, Sch. III, s.5) in the amount used for the calculations in DivorceMate (\$37,050 for the column Jonathan and \$6,897 in the column Deirdre) and the actual amounts reported on the **T5 Statement of Investment Income** as being the differences between the **Actual amount of dividends other than eligible dividends** (box 10) and the **Taxable amount of dividends other than eligible dividends** (box 11) which gives the amount of \$19,550 for Jonathan with two T5 in 2017 (\$11,050 + \$8,500) and for Deirdre of \$8,500. If the \$19,550 and \$8,500 would be used in the calculations for Jonathan and Deirdre respectively, results could be different. You should be able to request revised scenarios of DivorceMate with the actual reported difference of \$19,550 and \$8,500 and obtain explanation how the initial numbers used in the Exhibit "D" and Exhibit "E" were calculated. If revisions are done, considerations should also be given to my observation at 2) a) noted above.

Regards,



Marc Payeur, CPA, CA, CFE

Tab A p 2/2 2/2  
~~Tab SA 4/6~~