

# IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation: *Three Point Capital Corp. v. Monn*,  
2026 BCSC 137

Date: 20260129  
Docket: 2511313  
Registry: Victoria

Between:

**Three Point Capital Corp.**

Petitioner

And

**Jennifer Natalia Monn**

Respondent

Before: Associate Judge Harper

## Reasons for Judgment

Counsel for the Petitioner:

P. Crous

The Respondent, on her own behalf:

J. Monn

Written Submissions of the Petitioner:

December 17, 2025,

Written Submissions of the Respondent:

January 19, 2026

Place and Date of Judgment:

Victoria, B.C.  
January 29, 2026

[1] This is a foreclosure proceeding. The petitioner (“Three Point”) seeks an order nisi of foreclosure. The petition was filed on July 15, 2025. The respondent, Ms. Monn, was served by alternative service September 3, 2025. Ms. Monn failed to file a response to petition or any affidavit. She appeared at the hearing of the application for order nisi on October 16, 2025, but was not able to understand the proceedings because she advised has a hearing impairment. Ms. Monn advised the court that she could read lips, but I concluded that the application should be adjourned so that Ms. Monn could be better prepared.

[2] I ordered that the hearing be adjourned to October 21, 2025. Ms. Monn appeared at the hearing, but still had not filed a response to petition or any affidavit. I was not satisfied that an oral hearing was effective and therefore ordered the parties to attend a case planning conference (“CPC”).

[3] Ms. Monn filed a form of response to petition on November 5, 2025 seeking an extension of 90 days to seek legal representation to “present all written submissions the court requires”. She also states in that document that she has obtained commitment financing in order to pay out Three Point.

[4] The CPC was held December 15, 2025. I ordered that the hearing would proceed only by way of written submissions filed by each party. I granted leave to Three Point to seek an order that the redemption period start to run as of October 16, 2025. Ms. Monn’s written submissions were submitted by counsel who assisted Ms. Monn for the limited purpose of preparing the submissions. I have now received and reviewed the submissions.

[5] Ms. Monn filed an affidavit on January 19, 2026 adopting the contents of her written submissions. She further states: “I am prepared to seek refinancing for my Property in order to redeem by the proposed date of April 16, 2026. However, I will need a justifiable and ascertainable amount to inform such efforts.” Ms. Monn states that she does not understand how Three Point has arrived at the amounts they are claiming. Attached to Ms. Monn’s affidavit is a copy of a letter dated July 3, 2025 that she wrote to counsel for Three Point querying Three Point’s accounting.

[6] I am satisfied that the evidence provided by Three Point is accurate. A representative of Three Point, Leanne Wilson, provided an affidavit filed January 21, 2026 in which she carefully and thoroughly explains Three Point's accounting.

[7] This is a straightforward application for order nisi. Ms. Monn has been and remains in default under the mortgage since April 19, 2025. The affidavit evidence establishes that an order nisi should be granted. The amount owing as of the date of these reasons will be calculated by Three Point and provided to my attention through the Registry.

[8] Three Point asks that the six-month redemption period start to run as of the date of the original hearing being October 16, 2025.

[9] I agree with that position. The evidence provided by Three Point on October 16, 2025 supported an order nisi being granted on that date. The court granted Ms. Monn time to respond despite her failure to abide by the rules regarding time for filing a response to petition.

[10] The orders sought in the Statement of Relief Sought filed on December 20, 2025 are granted. I approve the form of the draft order provided in the Petition Record that was filed on January 21, 2026. The calculation of the amounts owing to be inserted into the order will be as of the date of the release of these reasons.

[11] As for costs, Ms. Monn will pay Three Point its costs on Scale B. Scale B is the scale that applies where a foreclosure proceeding is contested as it was in this case. If there is dispute about the Bill of Costs Three Point provides to Ms. Monn, I will assess the Bill of Costs summarily without an oral hearing. Three Point will file its Bill of Costs with a brief affidavit supporting the tariff items and disbursements. By no later than seven days after being served with the Bill of Costs and affidavit of justification, Ms. Monn will file written submissions of no more than three pages responding to the Bill of Costs.

[12] The signature of Ms. Monn on the formal order is dispensed with.

“Associate Judge Harper”