

PSV2 #  
2309

## CONTINUING POWER OF ATTORNEY FOR PROPERTY – (SHORT FORM)

THIS CONTINUING POWER OF ATTORNEY FOR PROPERTY is  
given

by **ESSAM FAYEK SOLIMAN**  
(Grantor)

of the City of Mississauga, Regional Municipality of Peel, Province of  
Ontario, Canada

(Both the grantor and  
attorney(s) must be at my  
least eighteen years old)

### APPOINTMENT

I **APPOINT** my Wife, **JANET ABDELSAYED AZIZ IBRAHIM**, also  
known as **JANET A. IBRAHIM**, of the City of Mississauga, in the Regional  
Municipality of Peel, Province of Ontario, Canada

to be my attorney(s) for property, and I authorize my attorney(s) to do,  
on my behalf, any and all acts, which I could do if capable, except  
make a will, subject to any conditions and restrictions contained  
herein. My attorney(s) shall have the authority to act as my litigation  
guardian, if one is required to commence, continue, defend or  
represent me in any court proceeding.

### SUBSTITUTION

2. If the above appointed attorney(s) refuse(s) to act, or is or are unable to  
act by reason of death, court removal, becoming incapable of  
managing property or resignation,

### ~~I SUBSTITUTE AND APPOINT~~

~~to act as my attorney(s) for my property, in the place of any attorney(s)  
appointed in paragraph 1 hereof who refuse(s) or is or are unable to  
act. The substituted attorney(s) shall, if able and willing to act,  
thereafter be my attorney(s) for property, together with any attorney  
appointed in paragraph 1 hereof who is able and willing to act and I  
authorize him, her, or them thereafter to do, on my behalf, any and all  
acts which I could do, if capable, except make a will, subject to any  
conditions and restrictions contained herein.~~

## CONTINUING POWER

3. This is a continuing power of attorney. It is my intention and I so authorize my attorney(s) that the authority given in this continuing power of attorney may be exercised during any incapacity on my part to manage my property, pursuant to section 7 of the *Substitute Decisions Act*.

## FAMILY LAW ACT CONSENT

4. *Notwithstanding this authorization, it may not be effective where the grantor is mentally incapable: see ss 55(3), (4) of the Family Law Act.*
- If my spouse disposes of or encumbers any interest in a matrimonial home in which I have a right to possession under Part II of the *Family Law Act*, I authorize the attorney(s) named in this power of attorney for me and in my name to consent to the transaction as provided for in clause 21(1)(a) of the said Act.

## CONDITIONS AND RESTRICTIONS

5. *Insert any specific conditions and restrictions here*

## EFFECTIVE DATE

6. *The power of attorney may provide that it comes into effect on a specified date or when a specific contingency occurs. If the specified contingency is the time at which the grantor becomes incapable of granting or continuing power of attorney, you must provide a method for so determining or section 9(3) of the Substitute Decisions Act provides that it is not effective until after the attorney is notified in the prescribed form by an assessor that an assessment has been performed and the grantor has been found to be incapable of managing property or the attorney is notified that a certificate of incapacity has been issued under the Mental Health Act.*
- This continuing power of attorney for property comes into effect as of the date of execution set out below.

REVOCATION

7. Any prior power of attorney for property or any power of attorney which affects my property given by me, except a power of attorney given to a bank or financial institution for the purpose of transacting my business with that bank or financial institution, is hereby revoked.

COMPENSATION

- Delete inapplicable paragraph(s)  
Payment of compensation imposes a higher standard of care on the attorney(s); see section 32 of the Substitute Decisions Act.
8. My attorney(s) may take compensation out of my property for any work done in connection with this continuing power of attorney for property by him, her, or them, in accordance with the prescribed fee scale established pursuant to sections 40(1) and 90 of the *Substitute Decisions Act* for the compensation of attorneys under a continuing power of attorney.

or

I authorize my attorney(s) and my attorney(s) has or have agreed to accept no compensation for any work done by him, her, or them pursuant to this power of attorney for property.

Insert any other compensation provisions here.

Executed at Mississauga this 30th day of August, 2011, in the presence of both witnesses, each present at the same time.

The following persons cannot be witnesses:

Helen Henwood  
Witness

The attorney or attorney's spouse or partner, the grantor's spouse or partner, a child of the grantor or a person whom the grantor has demonstrated a settled intention to treat as his or her child, a person whose property is under guardianship or who has a guardian of the person or who is less than eighteen years old

Helen Henwood  
Print name and address

City of Mississauga

Regional Municipality of Peel

Sahen Hode  
Witness

The following persons cannot be witnesses:

Tawara Hussa City of Mississauga  
Print name and address

Regional Municipality

of Peel

Essam FAYEK  
Signature of Grantor

# AFFIDAVIT OF EXECUTION

L, Helen Henwood  
of the City  
and I,  
of the City

**MAKE OATH AND SAY/AFFIRM:**

1. On August 30, 2011, we were both present at the same time and saw the attached power of attorney executed by *(grantor)* **ESSAM FAYEK SOLIMAN** and we signed the document in the grantor's presence as attesting witnesses.

2. At the time we witnessed the execution of the power of attorney we were both eighteen years of age or older.

**3. We are not:**

- (a) the attorney(s) named in this power of attorney nor a spouse or partner of the named attorney(s);
- (b) a spouse or partner of the grantor;
- (c) a child of the grantor or a person whom the grantor has demonstrated a settled intention to treat as his or her child, or
- (d) a person whose property is under guardianship or who has a guardian of the person.

**SWORN** by the above-

mentioned before me at the

City of Mississauga, in the

Regional Municipality of Peel

on ~~30~~ August 2011

QAL

Commissioner for Taking Affidavits

AFFIDAVIT

I, **ESSAM FAYEK SOLIMAN**, of the City of Mississauga, in the Regional Municipality of Peel, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am fully aware of the following:
  - (a) the kind of property I have and its appropriate value;
  - (b) obligations owed to my dependants including obligations owed to my spouse;
  - (c) my attorney herein named will be able to do everything with my property that I can do other than making a will;
  - (d) my attorney must account for his/her dealing with my property;
  - (e) I can, if legally capable, revoke the power of attorney;
  - (f) my property could decline in value if the property is not managed prudently;
  - (g) my attorney named herein could misuse his/her authority.

SWORN BEFORE ME at the City )  
of Mississauga, in the )  
Regional Municipality of )  
Peel, this 30<sup>th</sup> day )  
of August, 2011 )

Essam FAYEK  
ESSAM FAYEK SOLIMAN



A Commissioner for taking affidavits

Dated 9<sup>th</sup> September August 30 2011

**ESSAM FAYEK SOLIMAN**

GRANTOR

TO

**JANET ABDELSAYED AZIZ IBRAHIM**  
also known as **JANET A. IBRAHIM**

ATTORNEY

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**CONTINUING  
POWER OF ATTORNEY  
FOR PROPERTY  
(SHORT FORM)**

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**A. SHULMAN & ASSOCIATES**  
Barristers & Solicitors  
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Phone: 905-822-3563,  
Fax: 905-822-6342

**ALLAN SHULMAN**