

CANADA / JUDGMENT

Home Trust Company v. Campbell

2026 ONCA 92

COURT

Court of Appeal for Ontario

DECIDED

9 February 2026

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Home Trust Company v. Campbell Collection Decisions of the Court of Appeal Date 2026-02-09
Neutral citation 2026 ONCA 92 Docket numbers COA-25-CV-0815, M56606 Judges Monahan, Patrick J. Subject Civil Decision Content COURT OF APPEAL FOR ONTARIO CITATION: Home Trust Company v. Campbell, 2026 ONCA 92 DATE: 20260209 DOCKET: M56606 (COA-25-CV-0815) Monahan J.A. (Motion Judge) BETWEEN Home Trust Company Plaintiff/Responding Party (Respondent/Responding Party) and Adrian Campbell and Louise Miner* Defendants/Moving Party (Appellant/Moving Party*) Louise Miner, acting in person Amanda McInnis, for the responding party Heard: February 4, 2026 REASONS FOR DECISION

- [1] The moving party, Louise Miner[1], claims to be appearing as “sole living Executor and Beneficiary of the private estate styled LOUISE MINER” and as an “Authorized Representative for Secured Party the MINER EXPRESSED TRUST”. She has filed various documents on the authority of “Biblical Affirmations” and bearing a seal “Ab Initio De Jure Great Seal – Superior Covenant”. She brings a motion for an extension of time “to revoke and revest” within appeal file no. COA-25-CV-0815.
- [2] The materials filed by Louise are incomprehensible. They are irrelevant to the legal issues in this proceeding, which is a simple mortgage enforcement action. For the reasons set out below, the motion is dismissed.

Background

- [3] The underlying proceeding (the “Underlying Proceeding”) is an action by the responding party, Home Trust Company (“Home Trust”), against Louise and her husband, Adrian Campbell, concerning a default of approximately \$53,000 under a credit card agreement. The debt obligation was secured against Louise’s home (the “Property”).
- [4] Home Trust brought a motion for summary judgment, which was heard by Smith J. on February 4, 2025. The defendants in the Underlying Proceeding did not file any affidavit evidence in response to the motion for summary judgment. Smith J. described the documents which Louise had filed, which included a “Bill of Lading”, a “Bill of Exchange for \$2,900,000,” a “Loan Securitization Audit Report”, and a “Statement of Birth for Louise Miner”, as irrelevant and her submissions as “illogical and incomprehensible”. Finding that

there were no facts in dispute relevant to the merits of the underlying claim, Smith J. granted the motion for summary judgment on February 10, 2025. He ordered the defendants to pay the outstanding amount of the loan and deliver vacant possession of the Property to Home Trust. He also granted leave to issue a writ of possession in respect of the Property, in favour of Home Trust. A writ of possession was issued on March 18, 2025. A sheriff's notice to vacate was delivered on June 24, 2025, with an eviction date set for July 2, 2025.

- [5] Louise brought a motion in the Superior Court seeking a stay of enforcement of the writ of possession and eviction. That motion was heard by Roger J. on June 25, 2025, and dismissed. The writ of possession was enforced on July 2, 2025, at which time Home Trust took possession of the Property.
- [6] On June 30, 2025, Louise submitted a notice of appeal to this court of the June 25, 2025 order of Roger J. (COA-25-CV-0815). On July 3, 2025, Louise attempted to amend her notice of appeal to also appeal the order of Smith J. dated February 10, 2025. The Registrar correctly rejected the amended notice of appeal for filing because each order required its own notice of appeal. The Registrar also advised Louise that if she wished to appeal Smith J.'s February 10, 2025 decision, she would need an extension of time to do so, since she was past the 30-day deadline to file a notice of appeal of that order.
- [7] On July 8, 2025, Louise brought a motion for a stay of enforcement of the eviction pending appeal. Lauwers J.A. dismissed that motion, holding that there was no serious issue to adjudicate, no irreparable harm, and that the balance of convenience favoured Home Trust: *Miner v. Home Trust Company*, 2025 ONCA 558.
- [8] That decision was upheld on a panel review dated November 17, 2025 (M56132). The review panel's endorsement made the following comments on the materials that Louise had filed: ... [N]one of the additional and voluminous documents Louise has filed, bearing titles such as "bill of exchange", "bill of lading" and "notice of rescission for cause", have any relevance to this matter. Also not relevant are her stated position as an executor and beneficiary of the estate of Louise Miner, her references to the IRS (the U.S. Internal Revenue Service), and her statement that the main account has been "reclaimed by the trust and discharged". There is no evidence that the amount owing has been paid to the respondent or discharged.
- [9] Louise has not perfected her appeal which was accepted for filing (COA-25-CV-0815), and on August 7, 2025, the Registrar issued a Notice of Intention to Dismiss Appeal for Delay if the appeal was not perfected by August 28, 2025. The Registrar has not yet dismissed the appeal because Louise attempted to file various "motions to extend time". This is the first and only time such a motion has been accepted for filing and heard. Motion for Extension of Time to "Revest and Revoke"
- [10] As noted above, the present motion is brought by Louise, purportedly in her capacity as "Executor and Beneficiary of the trust estate styled as Louise Miner", for an extension of time to "revest and revoke". In oral submissions Louise was not able to explain the purpose or subject matter of the motion, including what was to be "revested or revoked", why an

extension of time was necessary to accomplish these actions, or how any such actions were relevant to the Underlying Proceeding and her appeal. Instead, she referred to various documents such as a “SS-4 Form from Department of the Treasury and Certificate of Trust – funded date January 8th, 2005”, a “Security Agreement – Nune Pro Tunc February 8th, 1989”, various IRS Forms, a “UCC1 – public notice”, a “Writ of Fractural Consent Revocation” and a “Writ of Rebuttal to Machine Law, Ethics, and Morality in the Age of Artificial Intelligence.”

- [11] These materials and Louise’s submissions are consistent with the illegitimate litigation tactics commonly referred to as “organized pseudo-legal commercial arguments” (“OPCA”): see *Meads v. Meads*, 2012 ABQB 571, 543 A.R. 215. As Myers J. accurately observed in *Jarvis v. Morlog*, 2016 ONSC 4476, OPCA claims are frivolous, vexatious, and an abuse of process on their face.
- [12] It should also be made clear that even if Louise had sought an extension of time to perfect her appeal of Roger J.’s order, I would have denied such relief. It is well established that an order refusing a stay is interlocutory: *McClintock v. Karam*, 2017 ONCA 277. As such the proper route of appeal in respect of the Roger J. order appears to be to the Divisional Court rather than this court. Since there can be no merit to an appeal which this court does not have jurisdiction to hear, I dismiss any extension of time to perfect the appeal in COA-25-CV-0815: see *Henderson v. Henderson*, 2014 ONCA 571, 324 O.A.C. 138, at para. 8.

Disposition

- [13] The motion for an extension of time to revest and revoke is dismissed.
- [14] The responding party is entitled to its costs on a substantial indemnity basis in the amount of \$9,118.54. “P.J. Monahan J.A.”
- [1] At the motion hearing, Ms. Miner directed that she be addressed as “Louise”, and I will follow that instruction in these reasons.

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