

CANADA / JUDGMENT

Tiveron v. Collins

2025 ONCA 797

COURT

Court of Appeal for Ontario

DECIDED

20 November 2025

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Tiveron v. Collins Collection Decisions of the Court of Appeal Date 2025-11-20 Neutral citation 2025 ONCA 797 Docket numbers COA-25-CV-0435, M56432 Judges Gillese, Eileen E.; Pepall, Sarah E.; Zarnett, Benjamin Subject Family Decision Content COURT OF APPEAL FOR ONTARIO CITATION: Tiveron v. Collins, 2025 ONCA 797 DATE: 20251120 DOCKET: COA-25-CV-0435 & M56432 Gillese, Pepall and Zarnett JJ.A. BETWEEN Amber Crystal Tiveron Applicant (Respondent/ Responding Party) and Eric Richard Collins Respondent (Appellant/ Moving Party) Eric Richard Collins, acting in person Amber Crystal Tiveron, acting in person Katherine Robinson, counsel as agent for the respondent/responding party Heard: November 18, 2025 On appeal from the order of Justice Lauren Bale of the Superior Court of Justice, dated March 14, 2025, and from the costs order dated April 23, 2025. On review of the order of Justice Jonathon C. George of the Court of Appeal for Ontario, dated October 30, 2025. REASONS FOR DECISION Overview

- [1] The parties to this appeal have been engaged in family law litigation since 2014. In the matters now before the court, Mr. Collins brings two motions and an appeal from the most recent order of the Superior Court of Justice (the “SCJ”) and its associated costs order. After hearing Mr. Collins’ oral submissions, the court advised the parties that it was unnecessary to hear from the respondent, the appeal was dismissed, and brief reasons would follow. These are the promised reasons.

Background

- [2] On October 29, 2014, a final order was made which required, among other things, that Mr. Collins pay Ms. Tiveron child support (the “2014 Final Order”). Mr. Collins unsuccessfully appealed the 2014 Final Order first to the SCJ and then to this court.
- [3] In 2022, the parties brought competing motions to change the 2014 Final Order as it related to parenting time and child support. The child support issue was scheduled for trial in the Ontario Court of Justice (the “OCJ”) in December 2024.

- [4] Two weeks before trial, Mr. Collins brought motions seeking leave to bring a further motion to set aside the 2014 Final Order on the basis of fraud or mistake and to bring a motion for summary judgment.
- [5] On December 11, 2024, the OCJ judge denied leave, finding both proposed motions were meritless.
- [6] In January 2025, Mr. Collins brought a motion to “cancel” the requirement that he obtain leave of the case management judge before taking further steps in the litigation. That motion was dismissed on February 11, 2025.
- [7] Mr. Collins appealed the orders of December 11, 2024, and February 11, 2025, to the SCJ. At the time that the SCJ heard the appeals, Mr. Collins owed more than \$33,000 in outstanding costs awards to Ms. Tiveron and was in arrears of child support in excess of \$20,000.
- [8] The SCJ quashed Mr. Collins’ appeals because the SCJ judge found that to permit them to continue would constitute an abuse of process and, in any event, there was no merit to them. She awarded Ms. Tiveron, as the successful party, \$6,000 in costs.
- [9] The SCJ judge also noted that the court has the discretion to quash an appeal when the appellant is in breach of court orders relating to financial obligations: *Brophy v. Brophy* (2004), 45 R.F.L. (5th) 56 (Ont. C.A.). She found Mr. Collins was in willful breach of the outstanding costs orders, having made no demonstrable effort to comply with them, and having given no explanation for his failure to pay them, apart from his claim he was impecunious. The SCJ judge further found Mr. Collins had a long history of taking unmeritorious steps in the litigation, having brought at least ten motions in the OCJ.
- [10] In this appeal, Mr. Collins raises some 16 issues, including allegations of bias on the part of the SCJ judge and various breaches of his right to procedural fairness. Matters before the Court
- [11] In addition to his appeal, Mr. Collins brings two motions to this court. One motion is for the court to receive fresh evidence of correspondence among the parties and text messages from his daughters. The second motion is to review the decision of a single judge of this court, dated October 30, 2025, dismissing Mr. Collins’ motion for, among other things, leave to amend his notice of appeal and supporting documents, and an order requiring counsel for Ms. Tiveron to pay his costs in “each proceeding where an Order was made” (the “Review Motion”).

Analysis

- [12] We dismiss the fresh evidence motion because the proposed fresh evidence is not relevant to the issues in this appeal.

- [13] We dismiss the Review Motion because it is wholly lacking in merit. Contrary to Mr. Collins' submission, there is no error in the decision of the motion judge of this court. On the contrary, that decision reflects a careful consideration, and soundly reasoned rejection, of the matters Mr. Collins raised on the motion.
- [14] In the absence of any evidence that Mr. Collins has paid the outstanding costs awards and arrears of child support referred to by the SCJ judge, we would exercise our discretion to refuse to entertain the appeal because of Mr. Collins' continuing disobedience of court orders: *Dickie v. Dickie*, 2007 SCC 8, [2007] 1 S.C.R. 346. Further, and in any event, there is no basis for appellate intervention in the orders under appeal.

Disposition

- [15] For these reasons, the fresh evidence motion, the Review Motion, and the appeal are dismissed with costs to Ms. Tiveron fixed at \$6,000, all inclusive. Since the costs order is related to support, if the costs are not paid within thirty (30) days of the date of these reasons, they shall be enforced by the Director of the Family Responsibility Office. "E.E. Gillese J.A." "S.E. Pepall J.A." "B. Zarnett J.A."

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