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**IN THE MATTER OF** the *Pension Benefits Act*, R.S.O. 1990,  
c. P.8, as amended (the "*PBA*");

**AND IN THE MATTER OF** a Notice of Intended Decision of the  
Superintendent of Financial Services to consent under section  
62.1(5) of the *PBA* to a payment out of the pension fund for the  
**Hoover Canada Non-Contributory Pension Plan for Hourly-  
Rated Employees**, Registration Number 0258368 (the "Plan").

**TO:**           **Maytag Limited**  
                  **c/o Whirlpool Canada LP**  
                  **1901 Minnesota Court**  
                  **Mississauga ON L5N 3A7**

**Attention:**   **Antoinette Armenio**  
                  **Director Orza, Effectives - HR**

**Copy:**       **Sandra Trejo**  
                  **Towers Watson**  
                  **175 Bloor Street East**  
                  **South Tower, Suite 1701**  
                  **Toronto ON M4W 3T6**

### **NOTICE OF INTENDED DECISION**

**I INTEND TO CONSENT**, under section 62.1(5) of the *PBA*, to the payment out of the pension fund for the Plan to Maytag Limited, as at February 28, 2011 in the amount of \$176,662 plus interest to the date of payment.

#### **I INTEND TO CONSENT FOR THE FOLLOWING REASONS:**

1. Maytag Limited is the employer and administrator as defined in the Plan (the "Employer").
2. As a result of the employer funding the deficit on the wind-up of the plan as at July 8, 2010, there are assets remaining in the fund after all benefits have been settled. Accordingly, the amount in question constitutes an overpayment within the meaning of section 62.1(1)(b) of the *PBA*.

3. Evidence of the overpayment to the pension fund has been submitted to the Financial Services Commission of Ontario.
4. This application for the payment to the employer was made on March 22, 2011. This date is within the requirements. Accordingly, the application has been filed within the time limits set out in 62.1(4) of the *PBA*.
5. Such further and other reasons as may come to my attention.

**YOU ARE ENTITLED TO A HEARING** by the Financial Services Tribunal (the “Tribunal”) pursuant to section 89(6) of the *PBA*. **To request a hearing, you must deliver to the Tribunal a written notice that you require a hearing, within thirty (30) days after this Notice of Intended Decision is served on you.<sup>1</sup>**

**YOUR WRITTEN NOTICE** must be delivered to:

Financial Services Tribunal  
5160 Yonge Street  
14th Floor  
Toronto, Ontario  
M2N 6L9

Attention: The Registrar

**FOR FURTHER INFORMATION** on a Form for the written notice, please see the Tribunal website at [www.fstontario.ca](http://www.fstontario.ca) or contact the Registrar of the Tribunal by phone at 416-590-7294, toll free at 1-800-668-0128, ext. 7294, or by fax at 416-226-7750.

**IF YOU FAIL TO REQUEST A HEARING WITHIN THIRTY (30) DAYS, I MAY CARRY OUT THE INTENDED DECISION AS DESCRIBED IN THIS NOTICE.**

**DATED** at Toronto, Ontario, this **25<sup>th</sup>** day of **August, 2011.**

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K. David Gordon  
Deputy Superintendent, Pensions

<sup>1</sup> Note – Pursuant to section 112 of the *PBA* any Notice, order or other document is sufficiently given, served or delivered if delivered personally or sent by regular mail and any document sent by regular mail shall be deemed to be given, served or delivered on the seventh day after the date of mailing.