



No. S201529
New Westminster Registry

In the Supreme Court of British Columbia

Between

THE OWNERS, STRATA PLAN BCS 3495 (COMMERCIAL SECTION), NESHA ENTERPRISES LTD. and COQUITLAM HOLDING LTD.

Petitioners

and

THE OWNERS, STRATA PLAN BCS 3495

Respondent

RESPONSE TO PETITION

Filed by: The Respondent, The Owners, Strata Plan BCS 3495 (the "Petition Respondent")

THIS IS A RESPONSE TO the Petition filed 18/Apr/2018.

Part 1: ORDERS CONSENTED TO

The Petition Respondent consents to the granting of the orders set out in the following paragraphs of Part 1 of the Petition: Nil.

Part 2: ORDERS OPPOSED

The Petition Respondent opposes the granting of the orders set out in paragraph 1, 2, and 3 of Part 1 of the Petition.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

The Petition Respondent takes no position on the granting of the orders set out in the following paragraphs of Part 1 of the Petition: Nil.

Part 4: FACTUAL BASIS

1. Unless specifically set out herein, the Petition Respondent adopts the definitions in the Petition to the Court.
2. The Petition relates to parking stalls located in the parking garage of a mixed residential/commercial development located at 2976-2978 Glen Drive in the City of Coquitlam, British Columbia ("Grand Central").
3. Grand Central is a three phase project. the first phase was completed in late 2009 and contained 9 commercial units. The second phase was completed in mid-2012 and contained 5 commercial units. The third phase was completed in November 2014 and contained no commercial units.
4. Pursuant to City of Coquitlam By-Laws, parking stalls are allocated to the commercial units based on the area of their respective units at a ratio of 1 stall per 40 square metres. These parking stalls are to be used by the commercial unit owners and their visitors.
5. Based on their cumulative area, the commercial units are entitled to a total of 47 parking stalls. The remaining 112 parking stalls are for the use of visitors to residents of Grand Central displaying a valid Visitor Parking Pass.
6. After the first phase was completed, there were nine unusable parking stalls in the parking garage on Level 2. At the first annual general meeting of the Strata on January 21, 2010, the developer of Grand Central, Intergulf Development CC Corp ("Intergulf") and Urban Gate, the owner of commercial strata lots 7, 8, and 9, requested to use those unusable parking stalls for storage.
7. The strata owners voted in favour of Intergulf's and Urban Gate's request by a margin of 89 in favour and 10 opposed. A condition was attached to this, providing that the stalls were to be reverted back to their original condition prior to the completion of the second phase. Those parking stalls were never converted to storage or used by Intergulf or Urban Gate.

8. At the 2011 annual general meeting, the Commercial Section requested that nine parking spots be reserved on the second level of the parking garage for the use of the nine commercial units in the first phase. This request was approved unanimously by the strata owners.
9. At some point thereafter, the Commercial Section erected 18 Reserved Parking signs on the main level of the parking garage, intending to rely on the nine spots they were granted at the 2011 annual general meeting as well as the nine parking stalls initially granted for storage at the 2010 annual general meeting. The City of Coquitlam removed those signs.
10. The subject Reserved signs are misleading as they simply say "Reserved" rather than indicating that they may be used by customers. As a result, neither residential visitors nor customers use those reserved parking, thereby greatly reducing the number of available parking spots for visitors.
11. The Reserved Parking Stalls are currently the subject of a dispute in the Civil Resolution Tribunal ("CRT") and there is no reason to interfere with that process. There is no urgency to this matter and it would be improper for the Supreme Court to involve itself in a matter that is being handled by the CRT.

Part 5: LEGAL BASIS

1. *Civil Resolution Tribunal Act*, S.B.C. 2012, c. 25, section 3.6.

Part 6: MATERIAL TO BE RELIED ON

1. N/A.

The Petition Respondents estimates that the application will take 40 minutes.

Dated: _____/May/2018



Signature of lawyer for the Petition Respondent
Gaynor C. Yeung

Petition Respondent's address for service:

Whitelaw Twining Law Corporation
2400 – 200 Granville Street
Vancouver, BC V6C 1S4

Fax number address for service (if any):

604-682-5217

E-mail address for service (if any):

kchiarot@wt.ca

Name of the Petition Respondent's lawyer, if any:

Kevin Chiarot



Court File No. **NEW-S-S-201529**

No.
New Westminster Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

THE OWNERS, STRATA PLAN BCS 3495 (COMMERCIAL SECTION),
NESHA ENTERPRISES LTD. and COQUITLAM HOLDING LTD.

PETITIONERS

AND:

THE OWNERS, STRATA PLAN BCS 3495

RESPONDENT

PETITION TO THE COURT

ON NOTICE TO: THE OWNERS, STRATA PLAN BCS 3495
c/o FirstService Residential
700-200 Granville Street
Vancouver, British Columbia V6C1S4

This proceeding is brought for the relief set out in Part 1 below, by:

- the person(s) named as Petitioner(s) in the style of proceedings above
- The Owners, Strata Plan BCS 3495 (Commercial Section)
- Nesha Enterprises Ltd.
- Coquitlam Holding Ltd.

If you intend to respond to this Petition, you or your lawyer must

- (a) file a Response to Petition in Form 67 in the above-named registry of this court within the time for Response to Petition described below, and
- (b) serve on the Petitioner
 - (i) 2 copies of the filed Response to Petition, and
 - (ii) 2 copies of each filed Affidavit on which you intend to rely at the hearing.

Orders, including Orders granting relief claimed, may be made against you, without any further notice to you, if you fail to file the Response to Petition within the time for response.

Time for response to Petition

A response to Petition must be filed and served on the Petitioner,

- (a) if you were served with the Petition anywhere in Canada, within 21 days after that service,
- (b) if you were served with the Petition anywhere in the United States of America, within 35 days after that service,
- (c) if you were served with the Petition anywhere else, within 49 days after that service, or
- (d) if the time for response has been set by order of the court, within that time.

(1) The address of the Registry is:	Begbie Square 651 Carnarvon Street New Westminster, BC V3M 1C9
(2) The ADDRESS FOR SERVICE of the Petitioners is:	Haddock & Company Lawyers 200 – 1695 Marine Drive North Vancouver, BC V7P 1V1
Fax number for Service (if any) of the Petitioners is:	604-983-6607
Email address for service (if any) of the Petitioners is:	None
(3) The name and office address of the Petitioners' lawyer is:	Oscar Miklos Haddock & Company Lawyers 200 – 1695 Marine Drive North Vancouver, BC V7P 1V1

Part 1: ORDERS SOUGHT

1. A temporary injunction enjoining the Respondent, Strata Plan BCS 3495, from removing or causing to be removed the Reserved Parking Signs in the Respondent's parkade benefiting the Commercial Owners of Strata Plan BCS 3495 until such further time that the issue of the removal of these Reserved

Parking Signs is decided by or settled through the Civil Resolution Tribunal or another court or tribunal of competent jurisdiction.

2. An Order that the approval of the terms of this Order by the Respondent be dispensed with.
3. Costs payable by the Respondent, Strata Plan BCS 3495.

Part 2: FACTUAL BASIS

1. The Respondent is a strata corporation known as The Owners, Strata Plan BCS 3495 (the "**Strata Corporation**") within the meaning of s.2 of the *Strata Property Act*.
2. The Petitioner, Strata Plan BCS 3495 (Commercial Section), is a section of the Strata Corporation within the meaning of s. 2 of the *Strata Property Act*, consisting entirely of non-residential owners (the "**Commercial Section**").
3. The Petitioner, Nesha Enterprises Ltd. is the registered owner of strata lot 183 within the Strata Corporation.
4. The Petitioner, Coquitlam Holdings Ltd. is the registered owner of strata lots 7,8 and 9 within the Strata Corporation.
5. The owners of non-residential strata lots within the Strata Corporation (collectively, the "**Commercial Owners**") benefit from eighteen reserved stalls (the "**Reserved Parking Stalls**") as secured by reserved parking signs (the "**Reserved Parking Signs**") that were affixed to the concrete walls of the ground-level parkade by the developer of the Strata Corporation's building, Intergulf Development Group.
6. The Commercial Owners rely on these reserved parking stalls for the purpose of operating their respective businesses. Without the Reserved Parking Stalls, the Commercial Owners would be left having to use either three-hour visitor parking stalls shared amongst all the owners of the Strata Corporation or paid street parking, if at all such parking is available.
7. On January 25, 2018, Daren Sello ("**Mr. Sello**") of FirstService Residential, the managing agent of the Strata Corporation, emailed members of the joint-section strata council of the Strata Corporation (the "**Council**"), informing the Council that the Reserved Parking Signs were in violation of a covenant of the City of Coquitlam and seeking "majority confirmation" from the Council for the removal of the Reserved Parking Signs.

8. In this same email, Mr. Sello states that the City has a process by which such covenant can be released.
9. On January 29, 2018, the Commercial Section's legal counsel sent a letter to the City of Coquitlam requesting clarification with respect to their position regarding different possible interpretations of the registered parking covenant. To date, no response to this letter has been received by the Commercial Section or their legal counsel.
10. On March 27, 2018, the Council held a meeting during which a majority of Council members adopted the proposal to remove the Reserved Parking Signs due to their "unsightly" appearance. The sole Council member to vote in opposition to this proposal was the principal shareholder of Nesha Enterprises Ltd. who was also the only Commercial Owner at the meeting.
11. On March 28, 2018, Mr. Sello issued instructions to the Strata Corporation's building's manager to remove the Reserved Parking Signs.
12. On or about this same day, the Strata Corporation's building manager attempted to remove the Reserved Parking Signs unsuccessfully.
13. On April 2, 2018, Jason Greene of the Council emailed the rest of the Council members suggesting that the Council reconsider its decision to remove the Reserved Parking Signs.
14. To date, the Reserved Parking Signs have not ultimately been removed, but the Council's decision to remove the Reserved Parking Signs has not been reversed either. The peril of their removal at the whim of the Council remains.

Part 3: LEGAL BASIS

1. Section 71 of the *Strata Property Act* states that a Strata Corporation must not make a significant change in use or appearance of common property unless that change is approved by a resolution passed by a three-quarter vote at an annual or special general meeting.
2. Section 48.4 of the *Civil Resolution Tribunal Act* states that the Civil Resolution Tribunal ("CRT") may make an order directed at the Strata Corporation if the order is necessary to prevent a significantly unfair action or decision.
3. It is the Commercial Section's position that the Strata Corporation's decision to remove the Reserved Parking Signs constitutes a significantly unfair decision by the Strata Corporation and the removal of the Reserved Parking Signs would be a significant change in use or appearance of common property.

4. Both the issue of significant unfairness and significant change in use or appearance of common property are within the jurisdiction of the CRT and should rightfully be decided by the CRT.
5. However, the CRT does not have any power to issue interim orders to prevent losses and disturbance that the Commercial Owners would face as a result of the Council's abrupt decision to remove the Reserved Parking Signs.
6. Section 189.6 of the *Strata Property Act* states that:

(1) If the Supreme Court determines that all matters in a proceeding before it are within the jurisdiction of the civil resolution tribunal, the Supreme Court must dismiss the proceeding unless it is not in the interests of justice and fairness for the civil resolution tribunal to resolve the dispute.

[Emphasis added]

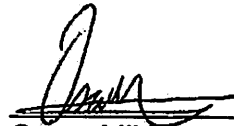
7. Given the CRT's lack of authority to issue interim relief and the prejudice that the Commercial Owners would suffer if the Reserved Parking Signs were removed by the Council without any consideration for the requirements set out by the *Strata Property Act*, it is in the interest of justice and fairness for the Supreme Court to hear the Petitioner's application for interim relief while allowing the CRT the opportunity to decide the matters within its jurisdiction.

Part 4: MATERIAL TO BE RELIED UPON

1. Affidavit #1 of Shireen Nadim, to be sworn.
2. Such further and other material as counsel may advise.

The Petitioners estimate that the hearing of the Petition will take 40 minutes.

Date: April 18, 2018



Oscar Miklos
Lawyer for the Petitioners

To be completed by the Court only:

Order made

in the terms requested in paragraphs of Part I of this Petition

with the following variations and additional terms:

.....
.....
.....

Date:

.....

Signature of Judge Master

This PETITION is prepared and delivered by **Oscar Miklos** of the firm of **Haddock & Company**, Lawyers, whose place of business and address for delivery is 200-1695 Marine Drive, North Vancouver, British Columbia, V7P 1V1. Tel.: 604-983-6670. Fax: 604-983-6607. File No. 1062-004



Court File No. **NEW-S-S-201529**

No.
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IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

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PETITIONERS

AND:

THE OWNERS, STRATA PLAN BCS 3495

RESPONDENT

PETITION TO THE COURT

ON NOTICE TO: THE OWNERS, STRATA PLAN BCS 3495
c/o FirstService Residential
700-200 Granville Street
Vancouver, British Columbia V6C1S4

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- [✓] Nesha Enterprises Ltd.
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[Emphasis added]


7. Given the CRT's lack of authority to issue interim relief and the prejudice that the Commercial Owners would suffer if the Reserved Parking Signs were removed by the Council without any consideration for the requirements set out by the *Strata Property Act*, it is in the interest of justice and fairness for the Supreme Court to hear the Petitioner's application for interim relief while allowing the CRT the opportunity to decide the matters within its jurisdiction.

Part 4: MATERIAL TO BE RELIED UPON

1. Affidavit #1 of Shireen Nadim, to be sworn.
2. Such further and other material as counsel may advise.

The Petitioners estimate that the hearing of the Petition will take 40 minutes.

Date: April 18, 2018



Oscar Miklos
Lawyer for the Petitioners

To be completed by the Court only:

Order made

[] in the terms requested in paragraphs of Part I of this Petition

[] with the following variations and additional terms:

.....
.....
.....

Date:

.....

Signature of [] Judge [] Master

This PETITION is prepared and delivered by **Oscar Miklos** of the firm of **Haddock & Company**, Lawyers, whose place of business and address for delivery is 200-1695 Marine Drive, North Vancouver, British Columbia, V7P 1V1. Tel.: 604-983-6670. Fax: 604-983-6607. File No. 1062-004



Civil Resolution Tribunal

BCS 3495
700-200 Granville St
c/o FirstService Residential
Vancouver BC V6C 1S4

RECEIVED JUL 07 2020

July 03, 2020

Attention: BCS 3495, Dispute Number ST-2020-004861

Introduction

Civil Resolution Tribunal

The Civil Resolution Tribunal (CRT) is an independent administrative tribunal, authorized by legislation to resolve strata property disputes and many small claims, motor vehicle injury, and societies and cooperative associations disputes. The CRT can make decisions enforceable as court orders. **You must respond to this dispute notice or the CRT may make a default order against you.** For more information, visit: civilresolutionbc.ca

Reason for this message

A request for dispute resolution has been made to the CRT. You are named in this dispute as a respondent. The CRT has accepted the application and issued the attached dispute notice.

The CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence.

You have 14 days to respond to this notice (30 days if outside of BC). If you do not respond, the CRT may make a default order against you. In a default order, the CRT assumes you are at fault. This means the CRT will not consider any arguments you might be able to make, for example, that the limitation period has expired, or that someone else is responsible for the claim.

Instructions

To respond to this Dispute Notice:

Go to <https://intake.civilresolutionbc.ca/response>

Enter the dispute number **ST-2020-004861** and your PIN: **56040**

You will be able to:

- Respond to this Dispute Notice

Your response does not need to include all the information you have about the dispute. You only need to provide your initial position on the applicant's claims and the remedies they requested. Later in the CRT process, you will have an opportunity to provide evidence and more information.

- Request more time to respond to the Dispute Notice
- After you respond, you will be able to add a Counterclaim or Third Party Claim, if necessary

If you can't respond online, contact us at <https://civilresolutionbc.ca/contact-us>. There is a fee for responding by email, mail, or fax.

For more information on how to respond to a dispute notice:

<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/>

Please contact the CRT at rsc@crtbc.ca if you have any questions about completing the dispute notice requirements. Be sure to include your Dispute Number in the subject line.

Resolution Support Team
Civil Resolution Tribunal
www.civilresolutionbc.ca

Confidentiality notice: this email is intended only for the person(s) named in the message header. It may contain information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message.



Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Dispute Number: ST-2020-004861

Application Submitted: June 19, 2020

Dispute Notice Issued: July 03, 2020

Notice To - Who the claim is against

These are the people or organizations the claims are against.

The Owners, Strata Plan BCS 3495

Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

Strata Corporation 1 of Strata Plan BCS 3495

NESHA ENTERPRISES LTD.

COQUITLAM HOLDING LTD.

INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit www.civilresolutionbc.ca

HOW TO RESPOND TO THIS DISPUTE NOTICE

Each person this claim is against has 14 days to respond to this notice once it is delivered (30 days if outside of BC). If you do not respond, the CRT will continue to resolve the dispute and may make a decision without your participation.

You should have been provided with instructions for response with the Dispute Notice. If you have not received instructions for response please contact the CRT by phone at 1-844-322-2292, or by e-mail at RSC@crtbc.ca and include the Dispute Number on the top left corner of this document.

Initiator Contact

The CRT will provide a copy of your Dispute Response to:

SHIREEN NADIM-ZADEH

Email: oscar@refreshlaw.ca

Phone: 604-723-2001

1548 Johnston Rd

c/o Blueprint Strata Management

White Rock, British Columbia

V4B3Z8, Canada

Who the Claim is Against

These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/tribunal-process/responding/

The Owners, Strata Plan BCS 3495 (Strata Corporation)

Type: Strata Corporation

Address:

700-200 Granville St
c/o FirstService Residential
Vancouver, British Columbia
V6C1S4, Canada

Strata contact

To be provided

Dispute Information

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

Dispute Claim 1

Claim ID

C-064252

Claim summary

Strata Corporation Acted in a Significantly Unfair Manner

Claim description

1. The Strata Corporation, BCS 3495 (the "Strata Corporation") is comprised of several buildings, built in three phases. Phase 1 included a concrete parking structure adjacent to the main tower building. All the commercial strata lots are in phases 1 and 2.
2. Intergulf Development Group ("Intergulf"), through subsidiary entities, entered into a long-term lease (the "Long-Term Lease") regarding the common property parkade. The rights and obligations under the Long-Term Lease were assumed by the Strata Corporation, once the strata plan was deposited.
3. At the time of purchase, Intergulf had promised the commercial owners several common property parking spots, the purpose of which would be to provide the customers of the commercial owners with adequate parking as well as the residential owners with adequate visitor parking. However, Intergulf did not act honestly.
4. In September of 2012, Intergulf repurposed 18 visitor parking stalls from the common property parking area, sold them (as partial assignments of the Long-Term Lease) to residential owners of the third phase and installed metal fencing around them (the "Parking Cage") to prevent access by any other owners.
5. The Applicants had brought a previous claim against the Strata Corporation before this Tribunal (CRT File Numbers ST-2017-004203 and ST-208-000635) arguing, among other items, that the Strata Corporation violated the Act by failing to pass a three-quarter vote resolution under section 71 prior to the installation of the Parking Cage.
6. The Tribunal agreed with the Applicants and found that the Strata Corporation failed to properly authorize the installation of the Parking Cage on the ground level of the parkade. On this basis, in its February 1, 2019 decision, this Tribunal ordered, amongst other items, that the Strata Corporation call a general meeting to retroactively consider the approval of the Parking Cage by a $\frac{3}{4}$ vote under section 71 of the Act (the "Previous Tribunal Decision") as it should have done, in the first place, prior to its installation.
7. This dispute deals specifically with the events leading up to and the decision made by the owners at a special general meeting of March 18, 2019 (the "March 2019 SGM") held as a result of the Previous Tribunal Decision.
8. The Applicants claim that the Strata Corporation acted in a significantly unfair and oppressive manner, as contemplated by section 164 of the Act, against the commercial owners and the Commercial Section. The Strata Corporation did so by (1) engaging in underhanded, procedurally unfair conduct leading up to the March 2019 SGM that unfairly influenced the outcome of the SGM before it even took place and by (2) voting to retroactively authorize the installation of the Parking Cage at the March 2019 SGM.
9. The Applicants had a reasonable expectation, objectively, that the Strata Corporation, in complying with the Previous

Tribunal Decision, would hold a special general meeting ("SGM") in a procedurally fair manner and ensure that all owners would be able to make an informed decision at the general meeting.

10. Instead, the Strata Corporation engaged in significantly unfair conduct leading up to and during the SGM, including:

- a. Ms. Shireen Nadim, President of the Commercial Section, was asked by the Strata Corporation to return her FOB (i.e. her access device to the building's common property) after the Council learned that she engaged in discussions with residential owners about the upcoming SGM.
- b. The Strata Council hastily adopted a rule regarding non-solicitation of other owners on common property right before the upcoming SGM (shortly after learned of Ms. Nadim's discussions with residential owners).
- c. The Strata Corporation, despite having an obligation to maintain neutrality leading up the SGM, has used its resources to politically lobby the owners by having its property management company, FirstService Residential publish multiple one-sided notices from the Strata Corporation concerning the removal of the cage and using the Strata Corporation's email to list to send these notices to all the owners.
- d. These same notices were posted on the common property, even though they later posted a rule regarding non-solicitation of other owners on common property when Ms. Nadim tried to speak with other owners about parking cage.
- e. The Strata Corporation had attempted to seek an extension of the CRT's deadline on calling the SGM so that the Strata Corporation could have more time lobby the owners through so-called 'informational meetings' on the pretense of ensuring that the owners made an 'informed decision' at the SGM. However, these were one-sided meetings when the Council denied Ms. Nadim of the Commercial Section entry when she sought to attend one of these 'informational meetings' on March 3, 2019.

When the person requesting resolution became aware of the claim

March 2019

Requested Resolution

Amount

- 1. 1. An Order compelling the Strata Corporation to remove the cage in the parking lot, at the Strata Corporation's expense. \$0.00

Total: \$0.00

Dispute Claim 2

Claim ID

C-064256

Claim summary

Strata Acted in a Significantly Unfair Manner (Part 2)

Claim description

f. The Strata Corporation, despite being required to remain neutral leading up to the SGM vote, used the Strata Corporation's resources to organize and advertise these so-called 'informational meetings' to compel owners to vote in favour of keeping the parking cage in its current location and attempt to allow the residential Council members to solicit proxies from other owners.

g. In preparing the SGM agenda, certain residential Council members added a completely arbitrary pet prohibition bylaw proposal in what can only be viewed as an attempt to scare owners into providing these same residential Council members with proxies ahead of the SGM to ensure they could keep their pets. No previous discussion about a proposed pet prohibition bylaw and such proposal was never voted on or discussed by all council members, including Ms. Nadim who is a Council member.

h. In the Notice of Meeting sent out to all owners, the Strata Corporation included misleading information from the Strata

Corporation's legal counsel regarding a lack of approval from the City of Coquitlam regarding the Parking Cage's relocation- this despite the fact that the Commercial Section had received approval from the City for the Parking Cage to be relocated.

i. The SGM was held within the very parking cage at issue, where no other meeting has ever been held by the Strata Corporation. This was a highly unusual location, as only a few chairs were provided and discussions at the SGM were regularly interrupted by competing noises produced by vehicles entering and exiting the parkade and even a car alarm going off. As such, this can only be viewed as another attempt to silence proponents of removing the parking cage and to discourage in person attendance by owners of the Strata Corporation so as to obtain further proxies and ensure that the parking cage resolution passes as the Strata Corporation wishes - in favour of not removing the cage.

11. Moreover, Ms. Nadim insisted to the Strata Council that there be put a second resolution at the SGM allowing for the relocation of the cage, but this proposal was ignored.

12. The Strata Corporation created conditions whereby any information passed to owners would be only by the Strata Corporation or proponents of leaving the Parking Cage as is, one-sided, and done in advance of the SGM. The Strata Corporation used these informational meetings to gather proxies from other owners and disincentivize owners from attending the SGM where there would, at least potentially, be an actual two-sided debate about the cage.

13. The oppressive and unfair acts by the Strata Corporation leading up to the SGM put its neutrality in question and cast doubt on where the Strata Corporation could ever act fairly and neutrally in holding a vote on the Parking Cage issue.

14. The Strata Corporation's tactics unfairly skewed the result of any vote in favour of keeping the Parking Cage in its current location. In what the Applicants suggest was a last-minute attempt by the Strata Corporation to cast an impression of the SGM being a fair process, each side was given five (5) minutes to state their case regarding the Parking Cage. However, this would not undo damage already caused.

15. The vote on the Parking Cage went ahead with the Strata Corporation obtaining a vote, by three-quarter, in favour of leaving the Parking Cage in its current location.

16. It should be noted that the minutes of the SGM show a discrepancy between the number of votes cast for the three-quarter vote resolution on the Parking Cage issue and the number of voters in attendance at the SGM either in person or by proxy. This further casts doubt on the results obtained.

17. The Applicants also had a reasonable expectation, objectively, that the Strata Corporation would vote to not approve the installation of the Parking Cage.

18. The Parking Cage was not contemplated in the original design of the parkade.

19. Moreover, Section 5.3 of the Long-Term Lease provides that it may be assigned to owners provided that the location of designated stalls does not interfere with the access routes and the operation of the parking facility.

20. Finally, the Strata Corporation's own bylaws, at section 8.20, provide that the Strata Corporation must not take any action or pass any bylaw or rule which would have the effect of prohibiting, preventing or impairing in any way whatsoever a commercial owner from utilizing their commercial strata lot (and any parking stalls, storage areas, common property and limited common property) for commercial purposes.

21. Yet, by voting to leave the Parking Cage in its current location, the owners have ensured the Parking Cage will continue to create traffic flow problems and confusion for the customers of the commercial owners regarding the availability of customer parking in the parkade. The Parking Cage has and continues to result in business losses to the Commercial Section due to a lack of customer parking access.

When the person requesting resolution became aware of the claim

March 2019

Requested Resolution	Amount
1. 4. An Order that the Strata Corporation remain neutral in the lead up to the Special General Meeting ordered by the CRT and abstain from engaging in unfair and oppressive political tactics.	\$0.00
2. 3. Should a ¾ margin of approval for removing the cage in the parking lot not be achieved at this new SGM,	

an Order compelling the Strata to remove the cage in the parking lot, at the Strata's expense	\$0.00
3. 2. In the alternative, an Order requiring the Strata Corporation to hold a SGM within 45 days of the CRT's decision to vote on the removal of the cage in the parking lot at the Strata 's expense.	\$0.00

Total: \$0.00

Dispute Claim 3

Claim ID
C-064253

Claim summary
Dispute-Related Fees & Expenses

Claim description
I want the respondent to pay for dispute-related fees paid to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Requested Resolution
All dispute-related fees and expenses will be determined later in the tribunal process

Additional Dispute Information

Steps the person requesting resolution has taken to resolve the claim



Summerside PE C1N 6A2

0005473

Handwritten: 1512

Notice details

Business number	72901 8135 RC0001
Date issued	Jun 29, 2020

THE OWNERS, STRATA PLAN BCS
1512
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

RECEIVED JUL 07 2020

Corporation income tax assessment

These notice(s) explain the results of our assessment of your T2 Corporation Income Tax Return(s). We assessed your T2 Corporation Income Tax Return(s) and calculated your balance.

Thank you,

Bob Hamilton
Commissioner of Revenue

Account summary

Total balance: **\$0.00**

Go paperless!

Get your mail online through My Business Account.

1. Log in at canada.ca/my-cra-business-account
2. Select "Notification preferences"



Summerside PE C1N 6A2

Notice details

Business number	72901 8135 RC0001
Tax year-end	Nov 30, 2019
Date issued	Jun 29, 2020

THE OWNERS, STRATA PLAN BCS
1512
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Corporation notice of assessment

Results

This notice explains the result of our assessment of your T2 Corporation Income Tax Return. It also explains any changes we may have made. For more information, please see the summary section of this notice.

Description	\$ Amount CR
Result of this Assessment	0.00
Previous balance	0.00
Total balance	0.00

For more information, please see the summary and explanation of changes and other important information sections of this notice.

Thank you,

Bob Hamilton
Commissioner of Revenue

THE OWNERS, STRATA PLAN BCS 1512

Notice details

Business number	72901 8135 RC0001
Tax year-end	Nov 30, 2019
Date issued	Jun 29, 2020

Summary

Description	\$ Reported CR	\$ Assessed CR
Federal tax		
Part I	0.00	0.00
Total federal tax		0.00
Net balance		0.00
Result of this assessment		0.00
Total balance for this tax year-end		0.00

Explanation of changes and other important information

We changed the non-capital loss closing balance on Schedule 4, Corporation Loss Continuity and Application, to **\$35,417.00**, to match our records.



More information

If you need more information, go to canada.ca/en/services/taxes.

To see your latest account information, including payment transactions, go to canada.ca/my-cra-business-account.

If you have new or additional information and want to change your return, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return." For faster service, submit your request electronically.

If you disagree with this assessment, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return," and then "Resolving disputes." You have 90 days from the date of this notice to register your dispute.

Definitions

CR (credit) is the amount we owe you.

Help for persons with visual impairments

You can get this notice in braille, large print, or audio format. For more information about other formats, go to canada.ca/cra-multiple-formats.

My Business Account

Use **My Business Account** to see and manage your tax information online. Check your return balances, manage direct deposit and addresses, submit an enquiry, set up online mail, and more. To register for **My Business Account**, go to canada.ca/my-cra-business-account.



Summerside PE C1N 6A2

0002492

Notice details

THE OWNERS, STRATA PLAN EPS
2849
C/O FIRSTSERVICE RESIDENTIAL
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Business number	72943 7673 RC0001
Tax year-end	Oct 31, 2017
Date issued	Jun 29, 2020

Corporation notice of assessment

RECEIVED JUL 07 2020

Results

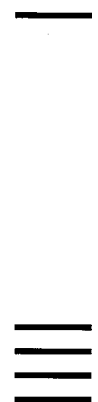
This notice explains the result of our assessment of your T2 Corporation Income Tax Return. It also explains any changes we may have made. For more information, please see the summary section of this notice.

Description	\$ Amount CR
Result of this Assessment	0.00

For more information, please see the summary and explanation of changes and other important information sections of this notice.

Thank you,

Bob Hamilton
Commissioner of Revenue



THE OWNERS, STRATA PLAN EPS 2849

Notice details

Business number	72943 7673 RC0001
Tax year-end	Oct 31, 2017
Date issued	Jun 29, 2020

Summary

Description	\$ Reported CR	\$ Assessed CR
Federal tax		
Part I	0.00	0.00
Total federal tax		0.00
Net balance		0.00
Result of this assessment		0.00

Explanation of changes and other important information

We changed the non-capital loss closing balance on Schedule 4, Corporation Loss Continuity and Application, to **\$0.00**, to match our records.

More information

If you need more information, go to canada.ca/en/services/taxes.

To see your latest account information, including payment transactions, go to canada.ca/my-cra-business-account.

If you have new or additional information and want to change your return, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return." For faster service, submit your request electronically.

If you disagree with this assessment, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return," and then "Resolving disputes." You have 90 days from the date of this notice to register your dispute.

Definitions

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Summerside PE C1N 6A2

0002488

Notice details

Business number	72943 7673 RC0001
Date issued	Jun 29, 2020

THE OWNERS, STRATA PLAN EPS
 2849
 C/O FIRSTSERVICE RESIDENTIAL
 700 - 200 GRANVILLE ST
 VANCOUVER BC V6C 1S4

RECEIVED JUL 07 2020

Corporation income tax assessment

These notice(s) explain the results of our assessment of your T2 Corporation Income Tax Return(s). We assessed your T2 Corporation Income Tax Return(s) and calculated your balance.

Thank you,

Bob Hamilton
 Commissioner of Revenue

Account summary

Total balance: \$0.00

Go paperless!

Get your mail online through My Business Account.

1. Log in at canada.ca/my-cra-business-account
2. Select "Notification preferences"



Summerside PE C1N 6A2

Notice details

THE OWNERS, STRATA PLAN EPS
2849
C/O FIRSTSERVICE RESIDENTIAL
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Business number	72943 7673 RC0001
Tax year-end	Oct 31, 2019
Date issued	Jun 29, 2020

Corporation notice of assessment

Results

This notice explains the result of our assessment of your T2 Corporation Income Tax Return. It also explains any changes we may have made. For more information, please see the summary section of this notice.

Description	\$ Amount	CR
Result of this Assessment	0.00	
Result of assessment for reporting period ending October 31, 2018	0.00	
Result of assessment for reporting period ending October 31, 2017	0.00	
Previous balance	0.00	
Total balance	0.00	

For more information, please see the summary and explanation of changes and other important information sections of this notice.

Thank you,

Bob Hamilton
Commissioner of Revenue

THE OWNERS, STRATA PLAN EPS 2849

Notice details

Business number	72943 7673 RC0001
Tax year-end	Oct 31, 2019
Date issued	Jun 29, 2020

Summary

Description	\$ Reported CR	\$ Assessed CR
Federal tax		
Part I	0.00	0.00
Total federal tax		0.00
Net balance		0.00
Result of this assessment		0.00
Total balance for this tax year-end		0.00

Explanation of changes and other important information

Total non-capital losses from previous tax years applied against net income or Part IV tax, or both, exceeds the balance on our records. We reduced the non-capital losses as a result.

More information

If you need more information, go to canada.ca/en/services/taxes.

To see your latest account information, including payment transactions, go to canada.ca/my-cra-business-account.

If you have new or additional information and want to change your return, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return." For faster service, submit your request electronically.

If you disagree with this assessment, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return," and then "Resolving disputes." You have 90 days from the date of this notice to register your dispute.

Definitions

CR (credit) is the amount we owe you.

Help for persons with visual impairments

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My Business Account

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Summerside PE C1N 6A2

0002490

Notice details

THE OWNERS, STRATA PLAN EPS
2849
C/O FIRSTSERVICE RESIDENTIAL
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Business number	72943 7673 RC0001
Tax year-end	Oct 31, 2018
Date issued	Jun 29, 2020

Corporation notice of assessment

Results

This notice explains the result of our assessment of your T2 Corporation Income Tax Return. It also explains any changes we may have made. For more information, please see the summary section of this notice.

Description	\$ Amount CR
Result of this Assessment	0.00

For more information, please see the summary and explanation of changes and other important information sections of this notice.

Thank you,

Bob Hamilton
Commissioner of Revenue

THE OWNERS, STRATA PLAN EPS 2849

Notice details

Business number	72943 7673 RC0001
Tax year-end	Oct 31, 2018
Date issued	Jun 29, 2020

Summary

Description	\$ Reported CR	\$ Assessed CR
Federal tax		
Part I	0.00	0.00
Total federal tax		0.00
Net balance		0.00
Result of this assessment		0.00

Explanation of changes and other important information

We changed the non-capital loss closing balance on Schedule 4, Corporation Loss Continuity and Application, to **\$0.00**, to match our records.

Total non-capital losses from previous tax years applied against net income or Part IV tax, or both, exceeds the balance on our records. We reduced the non-capital losses as a result.

More information

If you need more information, go to canada.ca/en/services/taxes.

To see your latest account information, including payment transactions, go to canada.ca/my-cra-business-account.

If you have new or additional information and want to change your return, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return." For faster service, submit your request electronically.

If you disagree with this assessment, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return," and then "Resolving disputes." You have 90 days from the date of this notice to register your dispute.

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Summerside PE C1N 6A2

0001001

Notice details

THE OWNERS, STRATA PLAN EPS
2683
C/O FIRSTSERVICE RESIDENTIAL
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Business number	73224 2334 RC0001
Date issued	Jun 29, 2020

RECEIVED JUL 07 2020

Corporation income tax assessment

These notice(s) explain the results of our assessment of your T2 Corporation Income Tax Return(s). We assessed your T2 Corporation Income Tax Return(s) and calculated your balance.

Thank you,

Bob Hamilton
Commissioner of Revenue

Account summary

Total balance: \$0.00

Go paperless!

Get your mail online through My Business Account.

1. Log in at canada.ca/my-cra-business-account
2. Select "Notification preferences"



Summerside PE C1N 6A2

Notice details

THE OWNERS, STRATA PLAN EPS
2683
C/O FIRSTSERVICE RESIDENTIAL
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Business number	73224 2334 RC0001
Tax year-end	Aug 31, 2019
Date issued	Jun 29, 2020

Corporation notice of assessment

Results

This notice explains the result of our assessment of your T2 Corporation Income Tax Return. It also explains any changes we may have made. For more information, please see the summary section of this notice.

Description	\$ Amount	CR
Result of this Assessment	0.00	
Previous balance	0.00	
Total balance	0.00	

For more information, please see the summary and explanation of changes and other important information sections of this notice.

Thank you,

Bob Hamilton
Commissioner of Revenue

THE OWNERS, STRATA PLAN EPS 2683

Notice details

Business number	73224 2334 RC0001
Tax year-end	Aug 31, 2019
Date issued	Jun 29, 2020

Summary

Description	\$ Reported CR	\$ Assessed CR
Federal tax		
Part I	0.00	0.00
Total federal tax		0.00
Net balance		0.00
Result of this assessment		0.00
Total balance for this tax year-end		0.00

Explanation of changes and other important information

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More information

If you need more information, go to canada.ca/en/services/taxes.

To see your latest account information, including payment transactions, go to canada.ca/my-cra-business-account.

If you have new or additional information and want to change your return, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return." For faster service, submit your request electronically.

If you disagree with this assessment, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return," and then "Resolving disputes." You have 90 days from the date of this notice to register your dispute.

Definitions

CR (credit) is the amount we owe you.

Help for persons with visual impairments

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My Business Account

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Summerside PE C1N 6A2

0005651

Notice details

THE OWNERS, STRATA PLAN BCS
213
C/O FIRSTSERVICE RESIDENTIAL
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Business number	73248 3870 RC0001
Date issued	Jun 29, 2020

RECEIVED JUL 07 2020

Corporation income tax assessment

These notice(s) explain the results of our assessment of your T2 Corporation Income Tax Return(s). We assessed your T2 Corporation Income Tax Return(s) and calculated your balance.

Thank you,

Bob Hamilton
Commissioner of Revenue

Account summary

Total balance: **\$0.00**

Go paperless!

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2. Select "Notification preferences"



Summerside PE C1N 6A2

Notice details

THE OWNERS, STRATA PLAN BCS
213
C/O FIRSTSERVICE RESIDENTIAL
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Business number	73248 3870 RC0001
Tax year-end	Jun 30, 2019
Date issued	Jun 29, 2020

Corporation notice of assessment

Results

This notice explains the result of our assessment of your T2 Corporation Income Tax Return. It also explains any changes we may have made. For more information, please see the summary section of this notice.

Description	\$ Amount	CR
Result of this Assessment	0.00	
Previous balance	0.00	
Total balance	0.00	

For more information, please see the summary and explanation of changes and other important information sections of this notice.

Thank you,

Bob Hamilton
Commissioner of Revenue

THE OWNERS, STRATA PLAN BCS 213

Notice details

Business number	73248 3870 RC0001
Tax year-end	Jun 30, 2019
Date issued	Jun 29, 2020

Summary

Description	\$ Reported CR	\$ Assessed CR
Federal tax		
Part I	0.00	0.00
Total federal tax		0.00
Net balance		0.00
Result of this assessment		0.00
Total balance for this tax year-end		0.00

Explanation of changes and other important information

We changed the non-capital loss closing balance on Schedule 4, Corporation Loss Continuity and Application, to **\$0.00**, to match our records.

Total non-capital losses from previous tax years applied against net income or Part IV tax, or both, exceeds the balance on our records. We reduced the non-capital losses as a result.

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More information

If you need more information, go to canada.ca/en/services/taxes.

To see your latest account information, including payment transactions, go to canada.ca/my-cra-business-account.

If you have new or additional information and want to change your return, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return." For faster service, submit your request electronically.

If you disagree with this assessment, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return," and then "Resolving disputes." You have 90 days from the date of this notice to register your dispute.

Definitions

CR (credit) is the amount we owe you.

Help for persons with visual impairments

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My Business Account

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Summerside PE C1N 6A2

0005598

Notice details

THE OWNERS, STRATA PLAN BCS
521
C/O FIRSTSERVICE RESIDENTIAL
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Business number	73248 5677 RC0001
Date issued	Jun 29, 2020

RECEIVED JUL 07 2020

Corporation income tax assessment

These notice(s) explain the results of our assessment of your T2 Corporation Income Tax Return(s). We assessed your T2 Corporation Income Tax Return(s) and calculated your balance.

Thank you,

Bob Hamilton
Commissioner of Revenue

Account summary

Total balance: **\$0.00**

Go paperless!

Get your mail online through My Business Account.

1. Log in at canada.ca/my-cra-business-account
2. Select "Notification preferences"



Summerside PE C1N 6A2

Notice details

THE OWNERS, STRATA PLAN BCS
521
C/O FIRSTSERVICE RESIDENTIAL
700 - 200 GRANVILLE ST
VANCOUVER BC V6C 1S4

Business number	73248 5677 RC0001
Tax year-end	Dec 31, 2018
Date issued	Jun 29, 2020

Corporation notice of assessment

Results

This notice explains the result of our assessment of your T2 Corporation Income Tax Return. It also explains any changes we may have made. For more information, please see the summary section of this notice.

Description	\$ Amount	CR
Result of this Assessment	0.00	
Previous balance	0.00	
Total balance	0.00	

For more information, please see the summary and explanation of changes and other important information sections of this notice.

Thank you,

Bob Hamilton
Commissioner of Revenue

THE OWNERS, STRATA PLAN BCS 521

Notice details

Business number	73248 5677 RC0001
Tax year-end	Dec 31, 2018
Date issued	Jun 29, 2020

Summary

Description	\$ Reported CR	\$ Assessed CR
Federal tax		
Part I	0.00	0.00
Total federal tax		0.00
Net balance		0.00
Result of this assessment		0.00
Total balance for this tax year-end		0.00

Explanation of changes and other important information

We changed the non-capital loss closing balance on Schedule 4, Corporation Loss Continuity and Application, to **\$7,878.00**, to match our records.

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More information

If you need more information, go to canada.ca/en/services/taxes.

To see your latest account information, including payment transactions, go to canada.ca/my-cra-business-account.

If you have new or additional information and want to change your return, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return." For faster service, submit your request electronically.

If you disagree with this assessment, go to canada.ca/t2-return and select the topic "After you file your corporation income tax return," and then "Resolving disputes." You have 90 days from the date of this notice to register your dispute.

Definitions

CR (credit) is the amount we owe you.

Help for persons with visual impairments

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My Business Account

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Wealth Management
Dominion Securities

RBC Dominion Securities Inc.

P.O. BOX 50 ROYAL BANK PLAZA
TORONTO, ON M5J 2W7

RECEIVED JUL 07 2020



ADPRB10100_3824949_001-E:746-00746

FIRSTSERVICE RESIDENTIAL BC.
LTD IN TRUST FOR THE OWNERS
STRATA PLAN LMS3903
200 GRANVILLE ST, SUITE 700
VANCOUVER BC V6C 1S4

Confirmation Notice

DATE
JUNE 26, 2020

ACCOUNT NO. TYPE
804-1888119 CSH

FOR SETTLEMENT IN THIS OFFICE
20-745 THURLOW ST VAN BC V6E0C5



AS AGENTS, WE TODAY CONFIRM THE FOLLOWING BUY FOR YOUR ACCOUNT OVER THE COUNTER - TORONTO

SETTLEMENT DATE **JUNE 26, 2020**

TRANSACTION TYPE **BOUGHT**

Quantity	Security Description	Unit Price
9,900	TD INVESTMENT SAVINGS ACCOUNT (8150) SOLICITED AS OF 06/25/20	@ 10.C\$

GROSS AMOUNT	99,000.00
SUB TOTAL	99,000.00 C\$
NET AMOUNT	99,000.00 C\$

CLIENT NAME	FIRSTSERVICE RESIDENTIAL BC.
ACCOUNT NO.	804-1888119 - CSH
INVESTMENT ADVISOR	MARK S COMFORT
I.A. NO. TK5	TEL. (604) 257-7170

REFERENCE W6679 / SECURITY NO. T015011 / ORDER NO. 376679 / INTERNAL CODES PE TD / 803 F

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For clients whose accounts are managed by RBC Philips, Hager & North Investment Counsel Inc., RBC Private Counsel (USA) Inc., RBC Global Asset Management Inc., Royal Trust Corporation of Canada and The Royal Trust Company, RBC Dominion Securities Inc.* (collectively, the "companies") performs record-keeping, trade settlement and only certain trade execution and account statement production services. The companies and Royal Bank of Canada are separate corporate entities which are affiliated.

The use of the term "We" in this confirmation notice refers to RBC Dominion Securities Inc.

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Customers accounts are protected by the Canadian Investor Protection Fund within specified limits. A brochure describing the nature and limits of the coverage is available upon request.

Please review this confirmation carefully. Failure to object to incorrect or unauthorized trades within 5 days of receipt of this confirmation, to the branch manager or the equivalent person of the office servicing your account, constitutes ratification by you of those trades.

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NOTE: INTEREST PAYABLE ON OVERDUE ACCOUNTS

PLEASE RETAIN THIS CONFIRMATION FOR INCOME TAX PURPOSES.

JTA548329-0002026-00746

DATE
JUNE 26, 2020

ACCOUNT NO. TYPE
804-1888119 CSH

AS AGENTS, WE TODAY CONFIRM THE FOLLOWING BUY FOR YOUR ACCOUNT OVER THE COUNTER - TORONTO

SETTLEMENT DATE JUNE 26, 2020

TRANSACTION TYPE **BOUGHT**

Quantity	Security Description	Unit Price
3,244.06	TD INVESTMENT SAVINGS ACCOUNT (TDFMC) (8157) SOLICITED AS OF 06/25/20	@ 10.C\$

GROSS AMOUNT	32,440.60
<hr/>	
SUB TOTAL	32,440.60 C\$
<hr/>	
NET AMOUNT	32,440.60 C\$

CLIENT NAME FIRSTSERVICE RESIDENTIAL BC.
ACCOUNT NO. 804-1888119 - CSH
INVESTMENT ADVISOR MARK S COMFORT
I.A. NO. TK5 TEL. (604) 257-7170

REFERENCE W6682 / SECURITY NO. T015017 / ORDER NO. 376682 / INTERNAL CODES PE TD / 803 F

AS AGENTS, WE TODAY CONFIRM THE FOLLOWING BUY FOR YOUR ACCOUNT OVER THE COUNTER - TORONTO

SETTLEMENT DATE JUNE 26, 2020

TRANSACTION TYPE **BOUGHT**

Quantity	Security Description	Unit Price
9,900	TD INVESTMENT SAVINGS ACCOUNT (CTC) (8159) SOLICITED AS OF 06/25/20	@ 10.C\$

GROSS AMOUNT	99,000.00
<hr/>	
SUB TOTAL	99,000.00 C\$
<hr/>	
NET AMOUNT	99,000.00 C\$

CLIENT NAME FIRSTSERVICE RESIDENTIAL BC.
ACCOUNT NO. 804-1888119 - CSH
INVESTMENT ADVISOR MARK S COMFORT
I.A. NO. TK5 TEL. (604) 257-7170

REFERENCE W6685 / SECURITY NO. T015019 / ORDER NO. 376685 / INTERNAL CODES PE TD / 803 F

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NOTE: INTEREST PAYABLE ON OVERDUE ACCOUNTS

PLEASE RETAIN THIS CONFIRMATION FOR INCOME TAX PURPOSES.

JTA5483329-0002028-00746

DATE ACCOUNT NO. TYPE
JUNE 26, 2020 804-1888119 CSH

AS AGENTS, WE TODAY CONFIRM THE FOLLOWING SALE FOR YOUR ACCOUNT OVER THE COUNTER - TORONTO

SETTLEMENT DATE JUNE 26, 2020

TRANSACTION TYPE SOLD

Quantity	Security Description	Unit Price
3,935.02	MANULIFE BANK INVESTMENT SAVINGS ACCOUNT (510) SOLICITED AS OF 06/25/20	@ 1.C\$

GROSS AMOUNT	3,935.02
<hr/>	
SUB TOTAL	3,935.02 C\$
<hr/>	
NET AMOUNT	3,935.02CR C\$

CLIENT NAME FIRSTSERVICE RESIDENTIAL BC.
ACCOUNT NO. 804-1888119 - CSH
INVESTMENT ADVISOR MARK S COMFORT
I.A. NO. TK5 TEL. (604) 257-7170



REFERENCE W4440 / SECURITY NO. M107242 / ORDER NO. 384440 / INTERNAL CODES TD / 803 A

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NOTE: INTEREST PAYABLE ON OVERDUE ACCOUNTS

PLEASE RETAIN THIS CONFIRMATION FOR INCOME TAX PURPOSES.

From:

Section 1 of the owners Strata plan BCS 3495 - Commercial

Shireen Nadim

Email: neshaco@yahoo.ca

phone : 604.723.2001

co/ Haddock & Company Lawyers

200-100 Rossvall Crescent

North Vancouver

V7P 3R4 Canada

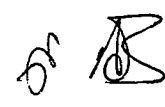
To:

Strata Plan BCS 3495/ Strata Corp.

c/o FirstService Residential

200 Granville Street | Suite 700 | Vancouver, BC, Canada V6C 1S4

Direct 604.601.6406 | Office 604.683.8900 | Fax 604.689.4829



I have received a copy of Dispute Notice ST-2019-005677 on October 22, 2019.



Alex Barnettson

Strata Corporation President BCS3495



Civil Resolution Tribunal

BCS 3495

c/ FirstService Residential
700-200 Granville Street
Vancouver, British Columbia
Canada
V6C1S4

August 27, 2019

Attention:BCS 3495

Introduction

Civil Resolution Tribunal

The Civil Resolution Tribunal (CRT) is an independent administrative tribunal, authorized by legislation to resolve strata property disputes and many small claims and motor vehicle injury disputes. The CRT can make decisions enforceable as court orders. **You must respond to this dispute notice or the CRT may make a default order against you.** For more information, visit: civilresolutionbc.ca

Reason for this message

A request for dispute resolution has been made to the CRT. You are named in this dispute as a respondent. The CRT has accepted the application and issued the attached dispute notice.

The CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence.

You have 14 days to respond to this notice (30 days if outside of BC). If you do not respond, the CRT may make a default order against you. In a default order, the tribunal assumes you are at fault. This means the tribunal will not consider any arguments you might be able to make, for example, that the limitation period has expired, or that someone else is responsible for the claim.

Instructions

To respond to this Dispute Notice:

Go to <https://intake.civilresolutionbc.ca/response>

Enter the dispute number **ST-2019-005677** and your PIN: **85147**

You will be able to:

- Respond to this Dispute Notice

You do not need to include all the information you have about the dispute with your Dispute Response. You only need to provide your initial position on the applicant's claims and the remedies requested. You will have an opportunity to provide more information later in the dispute resolution process

- Request more time to respond to the Dispute Notice
- After you respond, if needed, you will be able to add a Counterclaim or Third Party Claim, if necessary

For more information on how to respond to a dispute notice:

<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/>

Please contact the CRT at rsc@crtbc.ca if you have any questions about completing the dispute notice requirements. Be sure to include your Dispute Number in the subject line.

Resolution Support Team
Civil Resolution Tribunal
www.civilresolutionbc.ca

Confidentiality notice: this email is intended only for the person(s) named in the message header. It may contain information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message.

Thank you.



Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Dispute Number: ST-2019-005677

Application Submitted: July 19, 2019

Dispute Notice Issued: August 27, 2019

Notice To - Who the claim is against

These are the people or organizations the claims are against.

The Owners, Strata Plan BCS 3495

Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

Strata Corporation Section 1 of Strata Plan BCS 3495

INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit www.civilresolutionbc.ca

HOW TO RESPOND TO THIS DISPUTE NOTICE

Each person this claim is against has 14 days to respond to this notice once it is delivered (30 days if outside of BC). If you do not respond, the CRT will continue to resolve the dispute and may make a decision without your participation.

You should have been provided with instructions for response with the Dispute Notice. If you have not received instructions for response please contact the CRT by phone at 1-844-322-2292, or by e-mail at RSC@crfb.ca and include the Dispute Number on the top left corner of this document.

Initiator Contact

The CRT will provide a copy of your Dispute Response to:

SHIREEN NADIM

Email: neshaco@yahoo.ca

Phone: 604-723-2001

c/o Haddock & Company Lawyers

260-100 Roosevelt Crescent

North Vancouver, British Columbia
V7P3R4, Canada

Who the Claim is Against

These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/tribunal-process/responding/

The Owners, Strata Plan BCS 3495 (Strata Corporation)

Type: Strata Corporation

Address:

c/ FirstService Residential
700-200 Granville Street
Vancouver, British Columbia
V6C1S4, Canada

Strata contact
To be provided

Dispute Information

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

Dispute Claim 1

Claim ID
C-038256

Claim summary

Reimbursement of the Commercial Section

Claim description

The Commercial Section and the commercial owners should be reimbursed for all over-payments or unjustifiable payments made over the years in respect to expenses that it should not have had to contribute to, to the extent allowable under the Limitation Act. This exact monetary amount will be calculated and submitted by way of evidence. A list of these expenses is provided below.

When the person requesting resolution became aware of the claim

August 2017

Requested Resolution

1. Exact amount to be submitted later

Amount

\$100000.00

Total: \$100000.00

Dispute Claim 2

Claim ID
C-038258

Claim summary

Reallocation of Strata Expenses

Claim description

The Strata Corporation, BCS 3495 (the "Strata Corporation") is a sectioned strata corporation in Coquitlam, British Columbia developed over multiple phases and consisting of both residential and non-residential owners. The residential owners form a section (the "Residential Section") and the commercial owners form a separate section (the "Commercial Section") pursuant to the bylaws of the Strata Corporation.

Expenses are budgeted and allocated to either the Strata Corporation (as a whole) or to solely the Residential or Commercial Section, depending on usage and benefit. Generally speaking, the commercial owners do not have access to any common facilities and benefit from only certain parts of the Strata Corporation's common property including the visitor parkade, sidewalks and the building envelope.

Section 195 of the Strata Property Act states that any "expenses of the strata corporation that relate solely to the strata lots in a section are shared by the owners of the strata lots in the section" based on unit entitlement. Section 6.3 of the Strata Corporation's Bylaws also reflect this allocation method.

The Commercial Section claims that the Strata Corporation has breached this allocation method in respect to the following charges in the respective budgets:

- 1) Building manager expenses that are currently allocated to the Strata Corporation should be assigned exclusively to the Residential Section.
- 2) Electrical expenses currently allocated to the Strata Corporation and to the Residential and Commercial Sections should be assigned exclusively to the Strata Corporation and/or the Residential Section.
- 3) Garage door maintenance expenses currently allocated to the Strata Corporation should be assigned exclusively to the Residential Section.
- 4) The Residential Section's legal fees currently appearing in the Strata Corporation's budget should be allocated to the Residential Section.
- 5) The Strata management fee should be reapportioned as the management fee for the Strata Corporation is almost twice as high as that of the Residential Section.
- 6) The costs of mechanical maintenance currently appearing in the Strata Corporation's budget should be split between the Strata Corporation's budget and that of the Residential Section.
- 7) The costs of repairs to common property currently appearing in the Strata Corporation's budget should be split between the Strata Corporation's budget and that of the Residential Section.
- 8) The costs of parkade cleaning currently appearing in the Strata Corporation's budget should be split between the Strata Corporation's budget and that of the Residential Section. The only costs borne by the Strata Corporation should be that of cleaning the visitor parking area.
- 9) Expenses related to security and the enterphone system currently appearing in the Strata Corporation's

budget, should be assigned exclusively to the Residential Section.

10) The costs of window cleaning services currently appearing in the Strata Corporation's budget should be allocated exclusively to the Residential Section. The Commercial Section intends to retain its own window cleaning services.

11) The sewer expenses related to common property piping that cannot be split and benefit both residential owners and commercial owners. As such, the sewer expenses currently appearing in the Commercial Section's budget should be allocated to the Strata Corporation.

When the person requesting resolution became aware of the claim

August 2017

Requested Resolution

Amount

1. An order that the Strata Corporation stop contravening the Strata Property Act and its own Bylaws in respect to the allocation of certain expenses between the different types of owners.	\$0.00
--	--------

Total: \$0.00

Dispute Claim 3

Claim ID

C-038257

Claim summary

Dispute-Related Fees & Expenses

Claim description

I want the respondent to pay for dispute-related fees paid to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Requested Resolution

All dispute-related fees and expenses will be determined later in the tribunal process

Dispute Claim 4

Claim ID

C-038259

Claim summary

Non-contractual interest



Civil Resolution Tribunal

Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Dispute Number: ST-2019-005677

Application Submitted: July 19, 2019

Dispute Notice Issued: August 27, 2019

Notice To - Who the claim is against

These are the people or organizations the claims are against.

The Owners, Strata Plan BCS 3495

Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

**Strata Corporation Section 1 of Strata Plan BCS
3495**

INSTRUCTIONS

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HOW TO RESPOND TO THIS DISPUTE NOTICE

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c/o Haddock & Company Lawyers

260-100 Roosevelt Crescent

North Vancouver, British Columbia

V7P3R4, Canada

Who the Claim is Against

These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/tribunal-process/responding/

The Owners, Strata Plan BCS 3495 (Strata Corporation)

Type: Strata Corporation

Address:
c/ FirstService Residential
700-200 Granville Street
Vancouver, British Columbia
V6C1S4, Canada

Strata contact
To be provided

Dispute Information

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

Dispute Claim 1

Claim ID

C-038256

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Reimbursement of the Commercial Section

Claim description

The Commercial Section and the commercial owners should be reimbursed for all over-payments or unjustifiable payments made over the years in respect to expenses that it should not have had to contribute to, to the extent allowable under the Limitation Act. This exact monetary amount will be calculated and submitted by way of evidence. A list of these expenses is provided below.

When the person requesting resolution became aware of the claim

August 2017

Requested Resolution	Amount
1. Exact amount to be submitted later	\$100000.00
Total: \$100000.00	

Dispute Claim 2

Claim ID

C-038258

Claim summary

Reallocation of Strata Expenses

Claim description

The Strata Corporation, BCS 3495 (the "Strata Corporation") is a sectioned strata corporation in Coquitlam, British Columbia developed over multiple phases and consisting of both residential and non-residential owners. The residential owners form a section (the "Residential Section") and the commercial owners form a separate section (the "Commercial Section") pursuant to the bylaws of the Strata Corporation.

Expenses are budgeted and allocated to either the Strata Corporation (as a whole) or to solely the Residential or Commercial Section, depending on usage and benefit. Generally speaking, the commercial owners do not have access to any common facilities and benefit from only certain parts of the Strata Corporation's common property including the visitor parkade, sidewalks and the building envelope.

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unit entitlement. Section 6.3 of the Strata Corporation's Bylaws also reflect this allocation method.

The Commercial Section claims that the Strata Corporation has breached this allocation method in respect to the following charges in the respective budgets:

- 1) Building manager expenses that are currently allocated to the Strata Corporation should be assigned exclusively to the Residential Section.
- 2) Electrical expenses currently allocated to the Strata Corporation and to the Residential and Commercial Sections should be assigned exclusively to the Strata Corporation and/or the Residential Section.
- 3) Garage door maintenance expenses currently allocated to the Strata Corporation should be assigned exclusively to the Residential Section.
- 4) The Residential Section's legal fees currently appearing in the Strata Corporation's budget should be allocated to the Residential Section.
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- 8) The costs of parkade cleaning currently appearing in the Strata Corporation's budget should be split between the Strata Corporation's budget and that of the Residential Section. The only costs borne by the Strata Corporation should be that of cleaning the visitor parking area.
- 9) Expenses related to security and the enterphone system currently appearing in the Strata Corporation's budget, should be assigned exclusively to the Residential Section.
- 10) The costs of window cleaning services currently appearing in the Strata Corporation's budget should be allocated exclusively to the Residential Section. The Commercial Section intends to retain its own window cleaning services.

11) The sewer expenses related to common property piping that cannot be split and benefit both residential owners and commercial owners. As such, the sewer expenses currently appearing in the Commercial Section's budget should be allocated to the Strata Corporation.

When the person requesting resolution became aware of the claim

August 2017

Requested Resolution	Amount
1. An order that the Strata Corporation stop contravening the Strata Property Act and its own Bylaws in respect to the allocation of certain expenses between the different types of owners.	\$0.00
Total: \$0.00	

Dispute Claim 3

Claim ID

C-038257

Claim summary

Dispute-Related Fees & Expenses

Claim description

I want the respondent to pay for dispute-related fees paid to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Requested Resolution

All dispute-related fees and expenses will be determined later in the tribunal process

Dispute Claim 4

Claim ID

C-038259

Claim summary

Non-contractual interest

Claim description

I want to claim interest and do not have an agreement on an interest rate. The rate will be based on the Court Order Interest Act.

When interest started applying to the amount owing

July 31, 2017

Principal owing as of July 20, 2019

\$100,000.00

Requested Resolution

All dispute-related fees and expenses will be determined later in the tribunal process

Additional Dispute Information

Steps the person requesting resolution has taken to resolve the claim



FirstService
RESIDENTIAL

April 16, 2018

VIA EMAIL

The Owners, Strata Plan BCS 3495
Grand Central (Strata)
2978 Glen Drive
Coquitlam, BC V3B 0C4

Attention: Strata Council

**Re: Strata Plan BCS 3495 – Grand Central
Dispute Notice – Civil Resolution Tribunal – ST-2018-001847**

We have received a *Notice of Dispute* filed in the Civil Resolution Tribunal court by Strata Corporation Commercial Section of Strata Plan BCS 3495, Nesha Enterprises Ltd. And Coquitlam Holding which names Strata Plan BCS 3495 – Strata Plan Corporation as Respondent.

The reason for the claim is the Applicants feels that the Strata Corporation is acting in a significantly unfair manner in apportioning water consumption expenses from external water meters.

We have forwarded a copy of this legal action to CapriCMW for possible coverage under the building insurance policy.

The *Reply* to the *Notice of Dispute* is time sensitive (Date of deadline April 23, 2018 - 14 days after receipt) and must be filed in a timely manner.

At this time there is no need for Council direction, although, as always your input is appreciated.

Information relating to the Civil Resolution Tribunal is available at: <https://www.civilresolutionbc.ca/>

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

FirstService Residential BC Ltd.

Sean Ingraham

VP Community Development
Direct 604.689.6922
/si

REPLY TO: Oscar Miklos
E-MAIL: oscar@haddock-co.ca
OUR FILE: 1062-003
DATE: April 5, 2018

VIA REGISTERED MAIL

APR 09 2018

The Owners, Strata Plan BCS 3495 ("Grand Central")
c/o First Service Residential
700 - 200 Granville Street
Vancouver, BC V6C 1S4

Attention: Daren Sello, Strata Property Manager

Dear Sir:

**Re: Strata Corporation Commercial Section of Strata Plan BCS 3495, Nesha Enterprises Ltd.
and Coquitlam Holding Ltd. v. The Owners, Strata Plan BCS 3495
CRT Dispute Number: ST-2018-001847**

We are the lawyers acting for the Commercial Section of the above-noted Strata Corporation and we enclose for service upon you the CRT Dispute Notice dated March 21, 2018 respecting the above noted claim.

Yours truly,

HADDOCK & COMPANY

Per:



Oscar Miklos

OM:dbb
Enclosure



Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Dispute Number: ST-2018-001847

Date Application Submitted: March 12, 2018

Notice Issued Date: March 21, 2018

Notice To - Who the claim is against

These are the people or organizations the claims are against.

Strata Corporation	The Owners, Strata Plan BCS 3495
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Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

Strata Section	Strata Corporation Commercial Section of Strata Plan BCS 3495
Organization	Nesha Enterprises Ltd.
Organization	Coquitlam Holding Ltd.

INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit <https://civilresolutionbc.ca>.

The person requesting resolution must provide this Dispute Notice to you by June 20, 2018.

HOW TO RESPOND TO THIS DISPUTE NOTICE

Each person this claim is against has 14 days to respond to this notice once it is delivered (30 days if outside of BC). If you do not respond, the CRT may make a default order against you. In a default order, the tribunal assumes you are at fault. This means the tribunal will not consider any arguments you might be able to make, for example, that the limitation period has expired, or that someone else is responsible for the claim.

To respond to this Dispute Notice:

- Go to <https://intake.civilresolutionbc.ca/response>
- Enter the dispute number **ST-2018-001847** and the PIN listed beside your name below

You will be able to:

- Respond to this Dispute Notice
- Request more time to respond to the Dispute Notice
- After you respond, if needed, you will be able to add a Counterclaim or Third Party Claim

For more information, please visit the CRT website:

- How to serve this Dispute Notice to the respondents:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/starting-a-dispute/dispute-notice/>
- How to respond to a Dispute Notice you have been given:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/>

Initiator Contact

The CRT will provide a copy of your Dispute Response to:

Oscar Miklos

Email: oscar@haddock-co.ca

Phone: (604) 800-8098

Haddock & Company Lawyers

200-1695 Marine Drive

North Vancouver, British Columbia

V7P1V1, Canada

Who the Claim is Against

These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/

The Owners, Strata Plan BCS 3495 (Strata Corporation)

PIN: 40365

Type: Strata Corporation

Address:

c/o FirstService Residential

700-200 Granville Street

Vancouver, British Columbia

V6C1S4, Canada

Strata contact

To be provided

Dispute Information

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

Dispute Claim 1

Claim ID

C-011063

Claim summary

Strata Corporation is acting in a significantly unfair manner in apportioning water consumption expenses from external water meters.

Claim description

The Strata Corporation, BCS 3495, is a strata corporation in Coquitlam, British Columbia developed over multiple phases and consisting of both residential and non-residential owners. The residential owners form a section (the "Residential Section") and the commercial owners form a separate section (the "Commercial Section"). They apportion certain expenses among each other, including expenses related to water consumption, to reflect usage by the respective sections. Where it is impossible to neatly divide certain expenses, these expenses are borne by the Strata Corporation jointly.

In or about November 2014, upon completion of the 3rd phase of the Strata Corporation, the water consumption apportioned to the Commercial Section started increasing dramatically. A preliminary investigation was launched by an owner of the Commercial Section in spring of 2015 to inquire about the possible reason for this increase. Upon reporting these concerns to the strata council, the Strata Corporation retained the services of Milani Plumbing ("Milani") to look into the matter. In June 2015, Milani reported that the residential water line was not connected to the commercial water line and that they were, in fact, two separate readings.

The Commercial Section owner, unsatisfied with Milani's conclusion, contacted Travis Hughes of the City of Coquitlam (the "City") in September 2015. Having reviewed mechanical drawings provided by the Commercial Section owner, the City official concluded that the meters outside of the strata building read not only the water usage by the commercial owners, but also the water consumption by amenities exclusively benefiting the Residential Section.

During the remainder of 2015 through to the beginning of 2018, the Commercial Section tried to persuade the Strata Corporation, to no avail, that the expenses related to the metering of the water on the outside of the building (located close to Urban Gate restaurant) is rightfully a joint expense rather than one that should be borne exclusively by the owners of the Commercial Section.

In November 2017, the Commercial Section and the Strata Corporation both retained individual plumbing companies to further investigate the matter. The Commercial Section retained HighMark Plumbing and the Strata Corporation retained Allied Plumbing. Incidentally, both plumbing companies came to the same conclusion- that the water meters read usage by both the Commercial Section and amenities benefiting the Residential Section.

Despite this latest revelation, the Strata Corporation has refused, to date, to treat these water metering expenses as expenses that are to be borne by the Strata Corporation as a whole. They continue to take the position that these expenses should be paid entirely by the owners of the Commercial Section.

When the person requesting resolution became aware of the claim

Awareness of the claim by the Commercial Section and the commercial owners ultimately arose in November 2017 as it was at this point that it became clear that Milano's 2015 report concerning the water metering was incorrect and/or misleading and that the Commercial Section's concerns were well-founded.

Steps the person requesting resolution has taken to resolve the claim

A representative of the Commercial Section attempted to discuss this issue many times with the remainder of the Strata Council at Council meetings.

Requested Resolution	Amount
1. An order that the Strata Corporation, at its own expense, separate the piping between the residential amenities and the Commercial Section, so as to allow for fairer apportioning of such expenses.	\$0.00
2. In the alternative, an order that the water consumption expenses in question be borne by the Strata Corporation as a whole rather than exclusively by the Commercial Section.	\$0.00
3. An order that the Strata Corporation financially compensate the Commercial Section for many years of having to bear the costs of water consumption expenses that benefited only the residential owners.	\$136832.80

Plus fees paid by the Applicant to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Total: \$136832.80

Dispute Claim 2**Claim ID**

C-011390

Claim summary

Fees, Expenses, and Interest

Claim description

Fees, expenses and interest.

Requested Resolution	Amount
1. CRT Fees (amount to be determined)	\$0.00
2. Expenses related to the dispute (amount to be determined)	\$0.00
3. Interest under the Court Order Interest Act (amount to be determined)	\$0.00

Plus fees paid by the Applicant to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Total: \$0.00

Evidence

This is the evidence that the person requesting resolution has identified to support their claim. You can ask for this evidence, and provide your own evidence, during the CRT process.

Title	How it supports the applicants claims
Correspondences between the Strata Corporation and the Commercial Section	Shows that, at one point in time, the Strata Corporation's property manager even agreed that the apportioning of the water expenses is unjust.
Water Expense Invoices	Shows the amount of money expended by the Commercial Section over the years (some of it to the exclusive benefit of the residential owners).
Reports by Plumbing Companies	Shows the validity of the Commercial Section's claims relating to water expenses.
Council Meeting Minutes	Shows the Strata Corporation's refusal to act in this matter despite discussions.



FirstService
RESIDENTIAL

April 16, 2018

VIA EMAIL

The Owners, Strata Plan BCS 3495
Grand Central (Strata)
2978 Glen Drive
Coquitlam, BC V3B 0C4

Attention: Strata Council

**Re: Strata Plan BCS 3495 – Grand Central
Dispute Notice – Civil Resolution Tribunal – ST-2018-000635**

We have received a *Notice of Dispute* filed in the Civil Resolution Tribunal court by Strata Corporation Commercial Section of Strata Plan BCS 3495, Nesha Enterprises Ltd. And Coquitlam Holding which names Strata Plan BCS 3495 – Strata Plan as Respondent.

The reason for the claim is the Applicants feels that the Strata Corporation has failed to follow the procedural requirements of the Act and have pass a bylaw that is prejudicial to the interests of the owners of the Commercial Section regarding the second level visitor parking and the reservation of certain spots for the commercial section.

We have forwarded a copy of this legal action to CapriCMW for possible coverage under the building insurance policy.

The *Reply* to the *Notice of Dispute* is time sensitive (Date of deadline April 23, 2018 - 14 days after receipt) and must be filed in a timely manner.

At this time there is no need for Council direction, although, as always your input is appreciated.

Information relating to the Civil Resolution Tribunal is available at: <https://www.civilresolutionbc.ca/>

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

FirstService Residential BC Ltd.

Sean Ingraham

VP Community Development
Direct 604.689.6922
/si



FirstService
RESIDENTIAL

April 16, 2018

VIA EMAIL

The Owners, Strata Plan BCS 3495
Grand Central (Strata)
2978 Glen Drive
Coquitlam, BC V3B 0C4

Attention: Strata Council

**Re: Strata Plan BCS 3495 – Grand Central
Dispute Notice – Civil Resolution Tribunal – ST-2018-000635**

We have received a *Notice of Dispute* filed in the Civil Resolution Tribunal court by Strata Corporation Commercial Section of Strata Plan BCS 3495, Nesha Enterprises Ltd. And Coquitlam Holding which names Strata Plan BCS 3495 – Strata Plan as Respondent.

The reason for the claim is the Applicant feels that the Strata Corporation has failed to follow the procedural requirements of the Act and have pass a bylaw that is prejudicial to the interests of the owners of the Commercial Section regarding the second level visitor parking and the reservation of certain spots for the commercial section.

We have forwarded a copy of this legal action to CapriCMW for possible coverage under the building insurance policy.

The *Reply* to the *Notice of Dispute* is time sensitive (Date of deadline April 23, 2018 - 14 days after receipt) and must be filed in a timely manner.

At this time there is no need for Council direction, although, as always your input is appreciated.

Information relating to the Civil Resolution Tribunal is available at: <https://www.civilresolutionbc.ca/>

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

FirstService Residential BC Ltd.

Sean Ingraham

VP Community Development
Direct 604.689.6922
/si

LEGAL ACTION CHECKLIST

Litigation Foreclosure Date: _____ Closed

Strata #: _____ Strata Name: _____ Case #: _____

Type of Action: Small Claims Provincial Court Supreme Court
 Human Rights Tribunal Civil Resolution Tribunal

Plaintiff / Claimant: _____

Defendant / Respondents: _____

Property Manager: _____ Regional Director: _____

DEADLINE DATE: _____

Small Claims 14 days for response from date of receipt (FirstService Residential date stamp)

Supreme Court 21 days for response/appearance from date of receipt (FirstService Residential date stamp)

Description of Claim:

Claim Amount: _____ Date of Claim: _____ Date Of Action: _____

Entered On: _____

Step 1: Review Documents

- Give originals of all Lawsuit documents immediately upon receipt to VPF
- VPF will review documents
- VPF will complete Legal Action checklist

If FirstService Residential is named, VPF will handle corporate reporting requirements. Only if FirstService Residential is named and it is an E&O claim, VPF will advise REEOIC.

Step 2: Prepare Documents

- VPF will draft response on behalf of RD/SM
- VPF to determine who the insurance broker is
- The letter from RD should clearly specify due date for filing the Reply and/or Response/Appeal (See FSR date stamp to calculate this important deadline)
- Deadline Date: See above
- Letter will notify the Council or property owner with cc to SM/PM, that as per the Agency Agreement, the property owner or Strata Corporation must indemnify and save harmless the Agent for any claim, damages or liability incurred in connection with the service provided by the Agent

Step 3: Notify Council/Property Owner & Insurer

- RD to immediately advise Council or property owner in writing and attach a copy of the lawsuit and other details (prepared by VPF)
- RD will send letter to Council/Property Owner's Insurance with cc to SM/PM, bcc VPF, VPS/VPP
- The letter sent will state that all further correspondence to be done directly with SM/PM bcc VPF, VPS/VPP
- SM/PM and RD to diarize all dates for further action and notify VPS/VPP

Often there is insufficient time for the strata insurance company, the adjuster, the lawyer and the underwriters to determine if the claim is covered under their policy prior to the deadline for filing the Reply (14 days) or Response/Appeal (21 days). If this happens you will need to ensure that a Reply or a Response/Appeal is filed in time.

- Insurer will be in contact with Council/RD/SM
- Request confirmation in writing from Council or property owner as to whether they wish to retain legal council to represent them
- Request confirmation in writing from the Council or property owner as to who will file the reply or response/appearance
- Response/Appeal to be filed by a lawyer
- Document any other instructions on how they wish to proceed.
- Retain legal council to represent them if requested by Council

Step 4: Filing & Saving

- All legal documents, communication, emails to be forwarded to VPF only
- All legal documents, communication to be given to Administrative team by VPF
- All legal documents, communication to be file by VPF. Files located in VPF office
- Administrative Services to electronically scan all legal communication and documents to:
 - Administrative Services to electronically scan all legal communication and documents to: [S:\Legal\Legal Cases](#)
 - Administrative Services to electronically update legal tracking sheets to: [S:\Legal\Active Legal Tracking](#)
 - All Files saved and labelled as [StrataLegalName-Case No - Plaintiff vs Defendant](#)

Step 5: If Council/Property Owner will respond to claim directly

- Council or property owner may draft the Reply and forward the exact wording to the SM/PM in writing:
 - Review the wording of the Reply with RD, VPS/VPP
 - SM/PM is to ensure that a completed original Reply form is forwarded to VPF to be filed

SM/PM is to provide a copy of date stamped Reply filed to Council or property owner and forwarded to VPF to be filed
OR

- If FirstService Residential is named, review wording with Pres and VPF
 - SM/PM is to ensure that a completed original Reply form is forwarded to VPF to be filed
 - Obtain a court date stamped copy from property owner or Council of their Reply and ensure that it is forwarded to VPF to be filed

OR

- The Council or property owner may hire a lawyer to do so, at which time SM/PM:
- Must contact a lawyer and forward all pertinent information to lawyer immediately to meet applicable deadlines.

OR

- An Response/Appearance (Supreme Court) must always be filed by a lawyer.

UNDER NO CIRCUMSTANCES WILL FSR OR THE RD/SM/PM PROVIDE WORDING (LEGAL ADVICE) TO THE COUNCIL OR PROPERTY OWNER.

STRATA MANAGERS ONLY

Letter to Strata Council Letter to Insurer Letter to REEOIC

- SM/PM must ensure that as per Section 167 of the *Strata Property Act*, that the Strata Corporation inform the owners as soon as feasible if it is sued and that this information is well documented under report on litigation in the Council Minutes
- SM/PM may receive a call from lawyer or underwriter appointed by the insurance company at this juncture. Do you best to answer their questions; they are on your team!

Name of Lawyer or Underwriter:

- Give all Mediation, Arbitration, Notice of Settlement Conference or Examination for Discovery documents immediately upon receipt to the VPF
- SM/PM to provide copy of Mediation, Arbitration, Notice of Settlement Conference or Examination for Discovery documents to the Council or property owner or other pertinent parties
- Document Mediation, Arbitration, Notice of Settlement Conference or Examination for Discovery dates and times in your diary and bcc VPF
- Discuss with Council or property owner and document who will attend the above (legal counsel, property owner, council members, SM/PM/VPS/VPP)
- If SM/PM or other staff attends, remember to complete SM/PM Extra Charges invoice to accounting as per AA Agreement.
- Ensure all documentation is retained in the file by forwarding to VPF, and document when lawsuit is settled, cancelled or of any other significant events that occur during this process
- After Mediation, Arbitration, Settlement Conference, Examination for Discovery or Court Appearance, ensure that any agreements for any monitory settlement or conditions are met right away. (There may be a time limit to do so.)
- A final appearance may be required by the court for Council or property Owner as a condition.

Definitions:

PRES: President, FirstService Residential BC Ltd.
VPF: Vice President, Finance, FirstService Residential BC Ltd.
VPS: Vice President, Strata, FirstService Residential BC Ltd.
VPP: Vice President, Investment Properties, FirstService Residential BC Ltd.
RD: Regional Director
SM: Strata Manager/Senior Strata Manager
PM: Property Manager
REEOIC: Real Estate Errors & Omissions Insurance Corporation
E &O: Errors & Omissions
D &O: Directors & Officers Liability

Mediation: Mediation is a process for resolving disputes. Two or more parties to a dispute meet and attempt, with the assistance of a mediator, to settle the matters in dispute. The mediation takes place in a private, informal setting, where the parties participate in the negotiation and design of the settlement agreement. The mediator is trained to help people settle conflicts collaboratively and has no decision-making power. The dispute is settled only if all of the parties agree to the settlement

Arbitration: Arbitration is a legal technique for the resolution of disputes outside the courts, wherein the parties to a dispute refer it to one or more persons (the "arbitrators") by whose decision (the "award") they agree to be bound.

Settlement Conference: At the settlement conference, the judge looks at the notice of claim and the reply and asks a few questions to see if there is any chance the two can agree.

Examination for Discovery: Examination for Discovery is a legal proceeding, also known as examination on discovery, which enables a party to a civil action to examine another person orally and before trial. This proceeding assists the examining party in preparing for trial by compelling the disclosure of relevant facts and by bringing to a focus the issues in dispute. Examination for discovery also serves as a means of obtaining admissions from an adverse party and of evaluating the evidence in his hands; finally, it may, as a side effect, open avenues for out-of-court settlements. The transcript of the examination does not generally form part of the evidence on which the court will decide the case, but at trial the examining party may introduce any part of the transcript into the record or may use the transcript to point to contradictions or variations between a witness's testimony in court and prior statements made by the same witness on discovery.

IMPORTANT ADDRESSES

Corporate Lawyers: Lawson Lundell LLP - Suite 1600 Cathedral Place, 925 W. Georgia St., Vancouver, BC V6C 3L2
Attn: Craig Ferris, QC

Real Estate Errors & Omissions Insurance Corp.: 1604-700 West Pender Street, Vancouver, BC V6C 1G8

BFL Canada - New Claims-New Claims: realestateclaims@BFLCanada.ca

IMPORTANT TO REMEMBER...

- Let the strata know (even if they are not named). FirstService Residential BC is indemnified under the Agency Agreement we have with them, so their insurance should be covering the legal costs.
- Let the Strata's insurer know and FirstService Residential BC insurer (if FirstService is named)
- Let Real Estate Errors and Omission Insurance Corp. know as they will cover FirstService Residential BC if the Strata won't. (They do not cover personal injury claims).
- Let our corporate lawyer know (claims often are served to them directly).

REPLY TO: Oscar Miklos
E-MAIL: oscar@haddock-co.ca
OUR FILE: 1062-002
DATE: April 5, 2018

VIA REGISTERED MAIL

The Owners, Strata Plan BCS 3495 ("Grand Central")
c/o First Service Residential
700 - 200 Granville Street
Vancouver, BC V6C 1S4

Attention: Daren Sello, Strata Property Manager

Dear Sir:

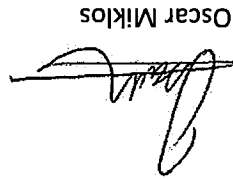
Re: Strata Corporation Commercial Section of Strata Plan BCS 3495, Nesha Enterprises Ltd.
and Coquitlam Holding Ltd. v. The Owners, Strata Plan BCS 3495
CRT Dispute Number: ST-2018-000635

We are the lawyers acting for the Commercial Section of the above-noted Strata Corporation and we enclose for service upon you the CRT Dispute Notice dated January 26, 2018 respecting the above noted claim.

Yours truly,

HADDOCK & COMPANY

Per:



Oscar Miklos

OM:dbb
Enclosure

Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Dispute Number: ST-2018-000635

Date Application Submitted: January 24, 2018

Notice Issued Date: January 26, 2018

Civil Resolution Tribunal



Notice To - Who the claim is against

These are the people or organizations the claims are against.

Strata Corporation
The Owners, Strata Plan BCS 3495

Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

Strata Section
Strata Corporation Commercial Section of Strata Plan BCS 3495

Organization
Nesha Enterprises Ltd.

Organization
Cogitiam Holding Ltd.

INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit <https://civilresolutionbc.ca>.

The person requesting resolution must provide this Dispute Notice to you by April 27, 2018.

HOW TO RESPOND TO THIS DISPUTE NOTICE

Each person this claim is against has 14 days to respond to this notice once it is delivered (30 days if outside of BC). If you do not respond, the CRT may make a default order against you. In a default order, the tribunal assumes you are at fault. This means the tribunal will not consider any arguments you might be able to make, for example, that the limitation period has expired, or that someone else is responsible for the claim.

To respond to this Dispute Notice:

Dispute Information

Strata contact To be provided	<p>Address: c/o FirstService Residential 700-200 Granville Street Vancouver, British Columbia V6C1S4, Canada</p> <p>Type: Strata Corporation</p> <p>The Owners, Strata Plan BCS 3495 (Strata Corporation) PIN: 39679</p>
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These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/

Who the Claim is Against

The CRT will provide a copy of your Dispute Response to:	<p>Oscar Miklos Email: oscar@haddock-co.ca Phone: (604) 800-8098 200-1695 Marine Drive North Vancouver, British Columbia V7P1V1, Canada</p>
--	--

Initiator Contact

- Go to <https://intake.civilresolutionbc.ca/response> and the PIN listed beside your name below
- You will be able to:
- Respond to this Dispute Notice
- Request more time to respond to the Dispute Notice
- After you respond, if needed, you will be able to add a Counterclaim or Third Party Claim
- For more information, please visit the CRT website:
- How to serve this Dispute Notice to the respondents: <https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/starting-a-dispute/dispute-notice/>
- How to respond to a Dispute Notice you have been given: <https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/>

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

Dispute Claim 1

Claim ID

C-009111

Claim summary

The Strata Corporation has failed to follow the procedural requirements of the Act and, in doing so, passed a bylaw that is prejudicial to the interests of the owners of the Commercial Section.

Claim description

The Strata Corporation (BCS 3495) held its latest AGM on April 18, 2017 (the "AGM"). On the agenda of the AGM, among other items, was the consideration of a 3/4 vote by the owners to amend the Strata Corporation's bylaw 7.4(8) and (9) to remove the possibility of second level visitor parking and the reservation of certain spots for the commercial section. The AGM meeting minutes report that this bylaw was passed unanimously (allegedly). However, this vote was held unfairly and in great haste by the strata agent in an attempt to push this bylaw amendment through without properly explaining to the owners in attendance what exactly they were voting on. Furthermore, the voting procedure contravenes the Strata Property Act as only one combined vote was held for all the owners rather than separate votes for the residential owners and the non-residential (ie. commercial) owners as required. Finally, it is a question of whether the commercial section was even properly consulted/informed before this resolution even made it on to the AGM's agenda in the first place. Had the Strata Corporation complied with the Act and had the property manager taken time to explain in which amendment was up for a vote, a majority of the owners of the commercial section would not have voted in favour of this bylaw.

When the person requesting resolution became aware of the claim

April 2017.

Steps the person requesting resolution has taken to resolve the claim

Correspondences with the strata corporation's property manager, Daren Sello of FirstService Residential.

Outcomes, remedies or actions requested

Amount

1. An order that the Strata Corporation's April 2017 amendments to bylaw 7.4(8) and (9) are invalid/illegal, that such amendments are not enforceable and should be struck from the registry. \$0.00

2. An order that the Strata Corporation comply with the voting procedure requirements set out by the Strata Property Act at all future AGMs and SGMs. \$0.00

Plus fees paid by the Applicant to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Total: \$0.00

Dispute Claim 2

Claim ID

C-009153

Claim summary

Fees, Expenses, and Interest

Outcomes, remedies or actions requested

Amount

1. CRT Fees (amount to be determined)

\$0.00

2. Expenses related to the dispute (amount to be determined)

\$0.00

Plus fees paid by the Applicant to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Total: \$0.00

Evidence

This is the evidence that the person requesting resolution has identified to support their claim. You can ask for this evidence, and provide your own evidence, during the CRT process.

Title

How it supports the applicants claims

BCS 3495 (Commercial Section), Nesha Enterprises Ltd., Coquitlam Holding Ltd. →

Notice Package generated by DRS

Various written correspondences between the Commercial Section's president and the strata agent.

This shows the Strata Corporation's refusal to rectify this issue.

A copy of the 2017 AGM minutes.

This shows the procedural irregularities of the meeting in terms of voting.

A copy of the Strata Corporation's updated bylaws

This shows the bylaw amendments that were recently passed and registered.

Grand Central *GM*
Dawan *CMW* *v3B uc4*

REPLY TO: Oscar Miklos
E-MAIL: oscar@haddock-co.ca
OUR FILE: 1062-001
DATE: September 14, 2017

VIA REGISTERED MAIL

SEP 18 2017

The Owners, Strata Plan BCS 3495
c/o First Service Residential
700 – 200 Granville Street
Vancouver, BC V6C 1S4

Dear Sirs:

**Re: The Owners, Strata Plan BCS 3495 (Commercial Section), Nesha Enterprises
Ltd., Coquitlam Holdings Ltd. v. The Owners, Strata Plan BCS 3495
Civil Resolution Tribunal Number ST-2017-004203**

We enclose for service on The Owners, Strata Plan BCS 3495 a Civil Resolution Tribunal
Dispute Notice.

Thank you.

Yours truly,

HADDOCK & COMPANY

Per: 

Oscar Miklos

OM:svs
Enclosure



Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Dispute Number: ST-2017-004203

Date Application Submitted: August 16, 2017

Notice Issued Date: September 14, 2017

Notice To - Who the claim is against

These are the people or organizations the claims are against.

Strata Corporation	The Owners, Strata Plan BCS 3495
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Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

Strata Section	Strata Corporation Commercial Section of Strata Plan BCS 3495
Organization	Nesha Enterprises Ltd.
Organization	Coquitlam Holding Ltd.

INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit <https://civilresolutionbc.ca>.

The person requesting resolution must provide this Dispute Notice to you by December 14, 2017.

HOW TO RESPOND TO THIS DISPUTE NOTICE

Each person this claim is against has 14 days to respond to this notice once it is delivered (30 days if outside of BC). If you do not respond, the CRT may make a default order against you. In a default order, the tribunal assumes you are at fault. This means the tribunal will not consider any arguments you might be able to make, for example, that the limitation period has expired, or that someone else is responsible for the claim.

To respond to this Dispute Notice:

- Go to <https://intake.civilresolutionbc.ca/response>
- Enter the dispute number **ST-2017-004203** and the PIN listed beside your name below

You will be able to:

- Respond to this Dispute Notice
- Request more time to respond to the Dispute Notice
- After you respond, if needed, you will be able to add a Counterclaim or Third Party Claim

For more information, please visit the CRT website:

- How to serve this Dispute Notice to the respondents:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/starting-a-dispute/dispute-notice/>
- How to respond to a Dispute Notice you have been given:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/>

Initiator Contact

The CRT will provide a copy of your Dispute Response to:

Oscar Miklos

Email: oscar@haddock-co.ca

Phone: (604) 800-8098

Haddock & Company

200-1695 Marine Drive

North Vancouver, British Columbia

V7P1V1, Canada

Who the Claim is Against

These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/

The Owners, Strata Plan BCS 3495 (Strata Corporation)	PIN: 20838
Type: Strata Corporation	
Address: c/ FirstService Residential 700-200 Granville Street Vancouver, British Columbia V6C1S4, Canada	Strata contact To be provided

Dispute Information

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

Dispute Claim 1

Claim ID

C-003499

Claim summary

Removal of parking cage from common property

Claim description

The Strata Corporation (BCS 3495) was built out in three phases by Intergulf Development Corp. The first phase was completed in or about July 2009, the second in or about July 2012 and the third in or about October 2014. Nesha Enterprises Ltd. is the registered owner of strata lot #183 located in the second phase of the development. Coquitlam Holding Ltd. is the registered owner of strata lots #7, 8 and 9 in the first phase of the development. Together, along with other commercial strata lot owners, they form the Commercial Section of the Strata Corporation. On or about February 2010, the first AGM of the Strata Corporation was held, at which point the developer ceased to act as the strata council, and a council was elected from the owners. On or about September 2012, without any authority to do so, the developer took back 18 visitor parking stalls from the common property parking area and sold them as individual private parking stalls to purchasers in the third phase of the development. The developer also placed a metal cage around these now-private parking stalls. The Strata Corporation's ongoing refusal to remove the metal cage has resulted in the customers of the commercial section's owners not having proper access to the visitor parkade. In turn, the owners of the commercial section have sustained significant business losses and these losses continue to accumulate to date. The Strata Corporation continues to refuse or neglects to remove the offending cage despite overtures from the Commercial Section. This constitutes a significantly unfair action by the Strata Corporation against owners of the Commercial Section of the Strata Corporation.

When the person requesting resolution became aware of the claim

Nesha Enterprises first became aware of the cage installation in or about October 2012. However, the Strata Corporation had votes at three meetings regarding the removal/relocation of the metal cage-one on May 10, 2016, one on September 28, 2016 and one on April 18, 2017.

Steps the person requesting resolution has taken to resolve the claim

Multiple discussions (over many years) with the Strata Corporation's strata council as well as the City of Coquitlam regarding the illegal installation. Three separate AGM/SGM votes on the issue of the removal or relocation of the metal cage.

Outcomes, remedies or actions requested	Amount
1. Remove the cage and associated private parking stalls currently located on the common property parking area on the ground floor;	\$0.00

2. In the alternative, relocate the cage and associated private parking stalls currently located on the common property parking area on the ground floor.	\$0.00
---	--------

Plus fees paid by the Applicant to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Total: \$0.00

Evidence

This is the evidence that the person requesting resolution has identified to support their claim. You can ask for this evidence, and provide your own evidence, during the CRT process.

Title	How it supports the applicants claims
Correspondences (emails, letters) between the Strata Corporation and the Commercial Section	Proof of the Strata Corporation's refusal to remove the metal cage.
Recent photos of the metal cage	Proof of the metal cage's existence.
Registered Strata Plan	Proof that the metal cage is an illegal installation.
Developer's parking lease agreement	Proof that the parking cage is an illegal installation.
Disclosure Statements by the Developer	Proof that the cage is an illegal installation
AGM/SGM meeting minutes	Proof of previous attempts to resolve this matter.



LEGAL ACTION CHECKLIST

Strata Plan No./Property Owner: _____ Case No.: _____

Property Manager: _____ Regional Director: _____

Project Name: _____ Date of Receipt: _____

Type of Action: Small Claims Provincial Court Supreme Court
 Human Rights Tribunal Civil Resolution Tribunal

Plaintiff / Claimant: _____

Defendant / Respondents: _____

DEADLINE DATE: _____

Please see below if you are unsure how to calculate the deadline date.

REMEMBER THE FOLLOWING LIMITS

PROVINCIAL COURT (SMALL CLAIMS) – 14 DAYS FOR REPLY
SUPREME COURT – 21 DAYS FOR RESPONSE / APPEARANCE
(From “Date of Receipt” – See FSR date stamp.)

Give originals of all Lawsuit documents immediately upon receipt to SDF, who will then copy it to:

- Strata or Strata/FirstService Residential – Accounts Receivable Manager (Form B File)
- If Strata (Residential) named – (PRES / SDF / VPSM / RD / SM)
- If Strata / FSR or FSR named – (PRES / SDF / VPSM / RD / SM)
- If Strata (Commercial) named – (PRES / SDF / GMIP / PM)
- Commercial / ICS / Rental Only – PRES / SDF / GMIP / PM)
- Administrative Manager (tracking & entry onto SmartSheet)

RD to fill out Legal Action Checklist unless FirstService Residential named. If FSR named, SDF will handle corporate reporting requirements.

RD to immediately advise Council or property owner in writing and attach a copy of the lawsuit and other details.

- The letter from the RD should clearly specify due date for filing the *Reply* and/or *Response/Appearance* (See FSR date stamp to calculate this important deadline)
- Deadline Date: **See above.**
- Request confirmation in writing from Council or property owner as to whether they wish to Retain legal council to represent them.
- Request confirmation in writing from the Council or property owner as to who will file the *Reply* or *Response/Appearance*.
- Response/Appearance to be filed by a lawyer.
- Document any other instructions on how they wish to proceed.

Legal Action Checklist

RD please hand deliver legal action checklist & legal file to SDF.

RD will send letter to Council/Property Owner's Insurance with cc to SM/PM. The letter sent will state that all further correspondence to be done directly with SM/PM. SM/PM and RD to diarize all dates for further action.

Only if FSR is named and it is an E&O claim, SDF will advise REEOIC.

→ **Often there is insufficient time for the strata insurance company, the adjuster, the lawyer and the underwriters to determine if the claim is covered under their policy prior to the deadline for filing the Reply (14 days) or Response/Appeal (21 days).**

If this happens you will need to ensure that a Reply or a Response/Appeal is filed in time.

RD will send letter notifying the Council or property owner with cc to SM/PM, that as per the Agency Agreement, the property owner or Strata Corporation must indemnify and save harmless the Agent for any claim, damages or liability incurred in connection with the service provided by the Agent.

For Provincial / Small Claims Court / Civil Resolution Tribunal actions, the Council or property owner may draft the Reply and forward the exact wording to the SM/PM in writing:

The Council or your property owner may file the Reply directly themselves, at which time you must:

Review the wording with your RD

If FSR is named, consult with PRES & SDF.

SM/PM is to ensure that a completed original Reply form is placed in the file. Obtain a court date stamped copy from the property owner or Council of their Reply and ensure that it is placed in the file.

- OR -

The Council or property owner may hire a lawyer to do so, at which time you:

... must contact a lawyer and forward all pertinent information to the lawyer immediately to meet applicable deadlines.

For Supreme Court Action, it is highly recommended that:

A Response/Appeal (Supreme Court) **must always be filled out by a lawyer.**

UNDER NO CIRCUMSTANCES WILL FSR OR THE RD/SM/PM PROVIDE WORDING (LEGAL ADVICE) TO THE COUNCIL OR PROPERTY OWNER.

Legal Action Checklist

STRATA ONLY

SM/PM must ensure that as per Section 167 of the Strata Property Act, that the Strata Corporation inform the owners as soon as feasible if it is sued and that this information is well documented under report on litigation in the Council Minutes.

SM/PM may receive a call from lawyer or underwriter appointed by the insurance company at this juncture. Do your best to answer their questions; they are on your team!

Name of Lawyer or Underwriter: _____

Give all Mediation, Arbitration, Notice of Settlement Conference or Examination for Discovery documents immediately upon receipt to the SDF.

Manager, Administrative Services to provide copy to the following departments:

If Strata (Residential) named – (PRES / SDF / VPSM / RD / SM)
If Strata / FSR or FSR named – (PRES / SDF / VPSM / RD / SM)
If Strata (Commercial) named – (PRES / SDF / GMIP / PM)
Commercial / ICS / Rental Only – PRES / SDF / GMIP / PM)

SM/PM to provide copy of Mediation, Arbitration, Notice of Settlement Conference or Examination for Discovery documents to the Council or property owner or other pertinent parties.

Document Mediation, Arbitration, Notice of Settlement Conference or Examination for Discovery dates and times in your diary.

Discuss with Council or property owner and document who will attend the above (legal counsel, property owner, council members, SM/PM.)

If SM/PM or other staff attends, remember to complete SM/PM Extra Charges invoice to accounting as per AA Agreement.

Ensure all documentation is retained in the file, and document when lawsuit is settled, cancelled or of any other significant events that occur during this process.

After Mediation, Arbitration, Settlement Conference, Examination for Discovery or Court Appearance, ensure that any agreements for any monetary settlement or conditions are met right away. (There may be a time limit to do so.)

A final appearance may be required by the court for Council or property Owner as a condition.

Legal Action Checklist

DEFINITIONS

FSR	FirstService Residential BC Ltd.
PRES	President, FirstService Residential BC Ltd.
SDF	Senior Director, Finance, FirstService Residential BC Ltd.
VPSM	Vice President, Strata Management
GMIP	General Manager Investment Properties
RD	Regional Director
SM	Strata Manager / Senior Strata Manager
PM	Property Manager
REEOIC	Real Estate Errors & Omissions Insurance Corporation
E & O	Errors & Omissions
D & O	Directors & Officers Liability

Mediation: Mediation is a process for resolving disputes. Two or more parties to a dispute meet and attempt, with the assistance of a mediator, to settle the matters in dispute. The mediation takes place in a private, informal setting, where the parties participate in the negotiation and design of the settlement agreement. The mediator is trained to help people settle conflicts collaboratively and has no decision-making power. The dispute is settled only if all of the parties agree to the settlement

Arbitration: Arbitration is a legal technique for the resolution of disputes outside the courts, wherein the parties to a dispute refer it to one or more persons (the "arbitrators") by whose decision (the "award") they agree to be bound.

Settlement Conference: At the settlement conference, the judge looks at the notice of claim and the reply and asks a few questions to see if there is any chance the two can agree.

Examination for Discovery: Examination for Discovery is a legal proceeding, also known as examination on discovery, which enables a party to a civil action to examine another person orally and before trial. This proceeding assists the examining party in preparing for trial by compelling the disclosure of relevant facts and by bringing to a focus the issues in dispute. Examination for discovery also serves as a means of obtaining admissions from an adverse party and of evaluating the evidence in his hands; finally, it may, as a side effect, open avenues for out-of-court settlements. The transcript of the examination does not generally form part of the evidence on which the court will decide the case, but at trial the examining party may introduce any part of the transcript into the record or may use the transcript to point to contradictions or variations between a witness's testimony in court and prior statements made by the same witness on discovery.

REEOIC: Unless another insurer has agreed to provide coverage to your client, they should be advised that they will need to retain their own lawyer to respond to the claim within the time requirements. We will not be opening a file at this office.

Please note that unless allegations of wrongdoing in the provision of real estate services are made or expected to be made against First Services of its licensees, there is no need for you to report to us every lawsuit involving your many clients.

IMPORTANT ADDRESSES

Corporate Lawyers:

Lawson Lundell LLP.
Suite 1600 Cathedral Place
925 West Georgia Street
Vancouver, BC V6C 3L2
Attention: Craig Ferris, QC

Real Estate Errors & Omission Insurance Corp.

1604-700 West Pender Street
Vancouver, BC V6C 1G8

BFL Canada – New Claims

realestateclaims@BFLCanada.ca

Legal Action Checklist

IMPORTANT TO REMEMBER . . .

Let the strata know (even if they are not named). FirstService Residential BC is indemnified under the Agency Agreement we have with them, so their insurance should be covering the legal costs.

Let the Strata's insurer know and FirstService Residential BC insurer (if FirstService is named)

Let Real Estate Errors and Omission Insurance Corp. know as they will cover FirstService Residential BC if the Strata won't. (They do not cover personal injury claims).

Let our corporate lawyer know (claims often are served to them directly).

Good Control
Dawan
13BUC4
GM

REPLY TO: Oscar Miklos
E-MAIL: oscar@haddock-co.ca
OUR FILE: 1062-001
DATE: September 14, 2017

VIA REGISTERED MAIL

SEP 18 2017

The Owners, Strata Plan BCS 3495
c/o First Service Residential
700 – 200 Granville Street
Vancouver, BC V6C 1S4

Dear Sirs:

**Re: The Owners, Strata Plan BCS 3495 (Commercial Section), Nesha Enterprises Ltd., Coquitlam Holdings Ltd. v. The Owners, Strata Plan BCS 3495
Civil Resolution Tribunal Number ST-2017-004203**

We enclose for service on The Owners, Strata Plan BCS 3495 a Civil Resolution Tribunal Dispute Notice.

Thank you.

Yours truly,

HADDOCK & COMPANY

Per:



Oscar Miklos

OM:svs
Enclosure



Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Dispute Number: ST-2017-004203

Date Application Submitted: August 16, 2017

Notice Issued Date: September 14, 2017

Notice To - Who the claim is against

These are the people or organizations the claims are against.

Strata Corporation	The Owners, Strata Plan BCS 3495
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Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

Strata Section	Strata Corporation Commercial Section of Strata Plan BCS 3495
Organization	Nesha Enterprises Ltd.
Organization	Coquitlam Holding Ltd.

INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit <https://civilresolutionbc.ca>.

The person requesting resolution must provide this Dispute Notice to you by December 14, 2017.

HOW TO RESPOND TO THIS DISPUTE NOTICE

Each person this claim is against has 14 days to respond to this notice once it is delivered (30 days if outside of BC). If you do not respond, the CRT may make a default order against you. In a default order, the tribunal assumes you are at fault. This means the tribunal will not consider any arguments you might be able to make, for example, that the limitation period has expired, or that someone else is responsible for the claim.

To respond to this Dispute Notice:

- Go to <https://intake.civilresolutionbc.ca/response>
- Enter the dispute number **ST-2017-004203** and the PIN listed beside your name below

You will be able to:

- Respond to this Dispute Notice
- Request more time to respond to the Dispute Notice
- After you respond, if needed, you will be able to add a Counterclaim or Third Party Claim

For more information, please visit the CRT website:

- How to serve this Dispute Notice to the respondents:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/starting-a-dispute/dispute-notice/>
- How to respond to a Dispute Notice you have been given:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/>

Initiator Contact

The CRT will provide a copy of your Dispute Response to:

Oscar Miklos

Email: oscar@haddock-co.ca

Phone: (604) 800-8098

Haddock & Company

200-1695 Marine Drive

North Vancouver, British Columbia

V7P1V1, Canada

Who the Claim is Against

These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/

The Owners, Strata Plan BCS 3495 (Strata Corporation)

PIN: 20838

Type: Strata Corporation

Address:

c/ FirstService Residential
700-200 Granville Street
Vancouver, British Columbia
V6C1S4, Canada

Strata contact
To be provided

Dispute Information

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

Dispute Claim 1

Claim ID

C-003499

Claim summary

Removal of parking cage from common property

Claim description

The Strata Corporation (BCS 3495) was built out in three phases by Intergulf Development Corp. The first phase was completed in or about July 2009, the second in or about July 2012 and the third in or about October 2014. Nesha Enterprises Ltd. is the registered owner of strata lot #183 located in the second phase of the development. Coquitlam Holding Ltd. is the registered owner of strata lots #7, 8 and 9 in the first phase of the development. Together, along with other commercial strata lot owners, they form the Commercial Section of the Strata Corporation. On or about February 2010, the first AGM of the Strata Corporation was held, at which point the developer ceased to act as the strata council, and a council was elected from the owners. On or about September 2012, without any authority to do so, the developer took back 18 visitor parking stalls from the common property parking area and sold them as individual private parking stalls to purchasers in the third phase of the development. The developer also placed a metal cage around these now-private parking stalls. The Strata Corporation's ongoing refusal to remove the metal cage has resulted in the customers of the commercial section's owners not having proper access to the visitor parkade. In turn, the owners of the commercial section have sustained significant business losses and these losses continue to accumulate to date. The Strata Corporation continues to refuse or neglects to remove the offending cage despite overtures from the Commercial Section. This constitutes a significantly unfair action by the Strata Corporation against owners of the Commercial Section of the Strata Corporation.

When the person requesting resolution became aware of the claim

Nesha Enterprises first became aware of the cage installation in or about October 2012. However, the Strata Corporation had votes at three meetings regarding the removal/relocation of the metal cage- one on May 10, 2016, one on September 28, 2016 and one on April 18, 2017.

Steps the person requesting resolution has taken to resolve the claim

Multiple discussions (over many years) with the Strata Corporation's strata council as well as the City of Coquitlam regarding the illegal installation. Three separate AGM/SGM votes on the issue of the removal or relocation of the metal cage.

Outcomes, remedies or actions requested	Amount
1. Remove the cage and associated private parking stalls currently located on the common property parking area on the ground floor;	\$0.00

2. In the alternative, relocate the cage and associated private parking stalls currently located on the common property parking area on the ground floor.	\$0.00
---	--------

Plus fees paid by the Applicant to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Total: \$0.00

Evidence

This is the evidence that the person requesting resolution has identified to support their claim. You can ask for this evidence, and provide your own evidence, during the CRT process.

Title	How it supports the applicants claims
Correspondences (emails, letters) between the Strata Corporation and the Commercial Section	Proof of the Strata Corporation's refusal to remove the metal cage.
Recent photos of the metal cage	Proof of the metal cage's existence.
Registered Strata Plan	Proof that the metal cage is an illegal installation.
Developer's parking lease agreement	Proof that the parking cage is an illegal installation.
Disclosure Statements by the Developer	Proof that the cage is an illegal installation
AGM/SGM meeting minutes	Proof of previous attempts to resolve this matter.



Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Amended: December 11, 2017

Dispute Number: ST-2017-005207

Date Application Submitted: September 23, 2017

Notice Issued Date: September 29, 2017

Notice To - Who the claim is against

These are the people or organizations the claims are against.

Strata Section	Residential Section of The Owners, Strata Plan BCS 3495
Person	Robert John Siddons

Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

Person	Shireen Nadim Zadeh
Strata Section	Commercial Section of The Owners, Strata Plan BCS 3495

INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit <https://civilresolutionbc.ca>.

The person requesting resolution must provide this Dispute Notice to you by January 03, 2018.

HOW TO RESPOND TO THIS DISPUTE NOTICE

Each person this claim is against has 14 days to respond to this notice once it is delivered (30 days if

outside of BC). If you do not respond, the CRT may make a default order against you. In a default order, the tribunal assumes you are at fault. This means the tribunal will not consider any arguments you might be able to make, for example, that the limitation period has expired, or that someone else is responsible for the claim.

To respond to this Dispute Notice:

- Go to <https://intake.civilresolutionbc.ca/response>
- Enter the dispute number **ST-2017-005207** and the PIN listed beside your name below

You will be able to:

- Respond to this Dispute Notice
- Request more time to respond to the Dispute Notice
- After you respond, if needed, you will be able to add a Counterclaim or Third Party Claim

For more information, please visit the CRT website:

- How to serve this Dispute Notice to the respondents:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/starting-a-dispute/dispute-notice/>
- How to respond to a Dispute Notice you have been given:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/>

Initiator Contact

The CRT will provide a copy of your Dispute Response to:

Shireen Nadim Zadeh

Email: neshaco@yahoo.ca

Phone: (604) 945-4767

1566 Stoneridge Lane

Coquitlam, British Columbia

V3E3K7, Canada

Who the Claim is Against

These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/

Residential Section of the Owners, Strata Plan BCS 3495

PIN: 86870

Type: Strata Section

Phone: (604) 683-8900
 Address:
 c/o FirstService Residential
 700-200 Granville Street
 Vancouver, British Columbia
 V6C1S4, Canada

Robert John Siddons (Owner)

PIN: 26734

Type: Person

Email: rsiddons@outlook.com
 Phone: (604) 790-0752
 2975 Atlantic Ave
 3602
 Coquitlam, British Columbia
 V3B0C5, Canada

Dispute Information

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

Dispute Claim 1

Claim ID

C-004530

Claim summary

Breach of contract. Mismanagement of funds and services.

Claim description

It was always the understanding and expectation of the commercial section that the Strata Corporation would bring a claim against the Former Council Members as a result of their failure to act in the best interest of the Strata Corporation. For instance, the actions of the Former Council Members with respect to waste disposal and recycling services provided by Pop-A-Top Recycling Ltd. ("Pop-A-Top") led to significant mismanagement of the Strata Corporation's funds as existing services were duplicated and unjustifiably, significantly more expensive services were contracted for by the Strata Corporation. It also appears that a few of the Former Council Members had close personal relationships with the owners of Pop-A-Top which constitutes an undisclosed conflict of interest at the time that the Former Council Members were voting to enter into a service contract with Pop-A-Top. As a result of this mismanagement, the commercial section lost in excess of \$15,000.00 and estimate that the residential section of the Strata Corporation lost in excess of \$145,000.00. Furthermore, during the preparation of a legal action, myself, current council member and president of the commercial section of the Strata Corporation, spent considerable time and efforts in assisting the Strata Corporation's legal counsel in preparing the case against the Former Council Members. Despite these losses, we were advised that the current president of the Strata Council, John Siddons, refused to continue with this action against the Former Council Members (despite repeated claims that he would) and provide a supporting affidavit to this end- a position which was clearly not in the best interest of the Strata Corporation. Furthermore, the commercial section's position was that Mr. Siddons did not act honestly throughout the preparation process and has misled all of us with respect to his actual intentions of following through with legal action. Mr. Siddons' delays and ultimate refusal to provide an affidavit in support of the action has created a situation where we were detrimentally relied on the Strata Corporation to commence a claim within the two-year limitation period. The commercial section now fear that they likely lost the opportunity to commence their own legal action to recover their financial losses due to the Former Council Members' mismanagement of funds. As such, we have demanded that the residential section of the Strata Corporation compensate the commercial section in the amount of \$15,000.00 for its losses due to the mismanagement of funds and its detrimental reliance on Mr. Siddons.

When the person requesting resolution became aware of the claim

Mr. Siddons' refusal to cooperate occurred on May 14th, 2017.

Steps the person requesting resolution has taken to resolve the claim

Council lawyer sent a formal written letter to the residential section including Mr. Siddons. An additional delegation was arranged with the Strata Managers represented by FirstServices company.

Outcomes, remedies or actions requested**Amount**

1. Financial compensation for mismanagement of funds and services to the Commercial section, an estimate of the difference in price with a fair and reasonable company.	\$12757.40
2. I want to be compensation for extraneous labor, distress, and inconvenience.	\$3500.00
3. I want to be reimbursed for the expenses and bill for supplementary services to outside counsel for their aid in this case.	\$1500.00
4. I want legal fees paid to our Council lawyer.	\$1500.00
5. I want to be compensated for the cost of filing this CRT.	\$125.00

Plus fees paid by the Applicant to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act.

Total: \$19382.40

Evidence

This is the evidence that the person requesting resolution has identified to support their claim. You can ask for this evidence, and provide your own evidence, during the CRT process.

Title	How it supports the applicant's claims
Contracts between Pop-A-Top GP and the Residential Section or the Commercial Section	The contracts show that they were entered into by the Residential Section and the Commercial Section, not the Strata Corporation.
Multiple Affidavits	Includes evidence that Pop-A-Top services more costly than previous providers, a price discrepancy despite Council agreement in a meeting in October 2013 that providers would only be switched if the cost of services would be the same and reimbursed for Buy-Out fees. Includes evidence of improper mismanagement of funds and conflict of interest between principals of Pop-A-Top and respondents.
Scheduled Appointments	Provides evidence that ongoing discussions were conducted between me, legal counsel, and Mr. Siddon with regards to our complaints.
E-mail Exchanges	Mr. Siddon's contractual agreement to provide an affidavit to bring a claim against former council members and Pop-A-Top for mismanagement of services and funds.
Invoices from Pop-A-Top Waste Control Management	Evidence of mismanagement and fiscal deficit for improper services.

Amendment History

Amendment 01 - October 04, 2017

Amendment 02 - November 01, 2017

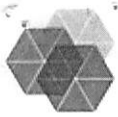
Amended Respondent

Amendment 03 - November 16, 2017

Amended respondent contact

Amendment 04 - December 11, 2017

Amended respondent representative



Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Dispute Number: ST-2017-002166

Date Created: May 24, 2017

RECEIVED MAY 25 2017

Notice To - Who the claim is against

These are the people or organizations the claims are against.

Strata **The Owners, Strata Plan BCS3495** - 200 Granville Street Suite 700
Corporation

Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

Person **Sahil Bhrany**

INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit <https://civilresolutionbc.ca>.

The person requesting resolution must provide this Dispute Notice to you by August 23, 2017.

HOW TO RESPOND TO THIS DISPUTE NOTICE

Each person this claim is against has 14 days to respond to this notice once it is delivered (30 days if outside of BC). If you do not respond, the CRT will continue to resolve the dispute and may make a decision without your participation.

To respond to this Dispute Notice:

- Go to <https://intake.civilresolutionbc.ca/response>
- Enter the dispute number **ST-2017-002166** and the PIN listed beside your name below

You will be able to:

- Respond to this Dispute Notice
- Request more time to respond to the Dispute Notice
- After you respond, if needed, you will be able to add a Counterclaim or Third Party Claim

For more information, please visit the CRT website:

- How to serve this Dispute Notice to the respondents:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/starting-a-dispute/dispute-notice/>
- How to respond to a Dispute Notice you have been given:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/>

Initiator Contact

The CRT will provide a copy of your Dispute Response to:

Sahil Bhrany
 Email: sahilbhrany@gmail.com
 Phone: (604) 767-4842
 1103 - 1200 W Georgia St
 Coquitlam, Ontario
 V6E4R2, Canada

Who the Claim is Against

These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/

The Owners, Strata Plan BCS3495 (Strata Corporation)	PIN: 02293
Type: Strata Corporation	
Phone: (604) 601-6370 200 Granville Street Suite 700 Vancouver, British Columbia V6C1S4, Canada	Strata Contact To be provided

Dispute Information

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

Dispute Claim 1

Claim ID

C-001435

Claim summary

Unfair noise related fines levied by Strata without evidence

Claim description

- Unfair decision to levy fines against me as the Owner for multiple Noise complaints made by resident of unit 1701, for noise made by Tenant in unit 1801 - 2978 Glen Dr, Coquitlam, BC V3B 0C3 - Contradictory evidence provided to Strata manager via e-mail by previous Strata President proving no noise from unit 1801 - No proof provided by strata for noise complaints proving 1801 tenant as the source of the noise - Fine issued for Noise after 1701 resident complained to the City of Coquitlam, was also reviewed by the City and cancelled by the city after review by the City of Coquitlam - Tenant confirmed to strata manager no Noise from unit - Strata Council member, Tiam, refused to hear or see evidence but simply jumped to issuing fine - Resident of 1701 refused to cooperate, talk to resolve issue or provide any evidence allowing me to take action against my tenant - The lack of cooperation in providing any evidence from strata & from complainant (resident of 1701) and continued complaints from resident of 1701 lead to more fines, leaving me with no way to recover any fines from my tenant without proof. - Strata manager confirmed no other neighbors complained about noise from unit 1801 - RCMP does not disclose any private information except for the fact that they visited the unit, they do not confirm nor deny any noise from the unit - Strata manager confirmed that they do not have any burden of proof, hence my claim of unfair fines - Strata council member, Tiam, expects owners to screen potential tenants for potential Noise issues

When the person requesting resolution became aware of the claim

November 2016

Steps the person requesting resolution has taken to resolve the claim

I have e-mailed the strata manager multiple times providing statements from neighbors, met with all neighbors on 18th floor confirmed no Noise reported by any resident on 18th floor. Provided information about cancelled City of Coquitlam by-law fine ticket, as a result of complaint made by resident of 1701 - 2978 Glen Dr, Coquitlam. I have called the RCMP to confirm evidence of any noise from unit, which cannot be disclosed to any member of the public as per the RCMP as per privacy rules.

Outcomes, remedies or actions requested	Amount
1. I want all of fines related to this issue to be cancelled from my account	\$600.00
Total: \$600.00	

Evidence

This is the evidence that the person requesting resolution has identified to support their claim. You can ask for this evidence, and provide your own evidence, during the CRT process.

Title	How it supports the applicants claims
cancelled City of Coquitlam - noise ticket	Cancelled - Voided Ticket by City of Coquitlam for Noise by-law
e-mail correspondence from strata manager	strata manager's confirmation of no proof available to Strata
e-mail correspondence	letter from neighbor, previous strata President, confirming no noise



Daren Sello
BCS 3495

Dispute Notice

RECEIVED JUN 21 2017

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

Dispute Number: ST-2017-002166

Issued Date: May 24, 2017

Notice To - Who the claim is against

These are the people or organizations the claims are against.

Strata Section Strata Corporation Section 2 of Strata Plan The Owners, Strata Plan BCS3495

Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

Person **Sahil Bhrany**

INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit <https://civilresolutionbc.ca>.

The person requesting resolution must provide this Dispute Notice to you by August 08, 2017.

HOW TO RESPOND TO THIS DISPUTE NOTICE

Each person this claim is against has 14 days to respond to this notice once it is delivered (30 days if outside of BC). If you do not respond, the CRT will continue to resolve the dispute and may make a decision without your participation.

To respond to this Dispute Notice:

- Go to <https://intake.civilresolutionbc.ca/response>
- Enter the dispute number **ST-2017-002166** and the PIN listed beside your name below

You will be able to:

- Respond to this Dispute Notice
- Request more time to respond to the Dispute Notice

- After you respond, if needed, you will be able to add a Counterclaim or Third Party Claim

For more information, please visit the CRT website:

- How to serve this Dispute Notice to the respondents:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/starting-a-dispute/dispute-notice/>
- How to respond to a Dispute Notice you have been given:
<https://civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/>

Initiator Contact

The CRT will provide a copy of your Dispute Response to:

Sahil Bhrany
 Email: sahilbhrany@gmail.com
 Phone: (604) 767-4842
 1103 - 1200 W Georgia St
 Coquitlam, Ontario
 V6E4R2, Canada

Who the Claim is Against

These are the people or organizations that are identified as being responsible for the claim. For more details go to: civilresolutionbc.ca/how-the-crt-works/tribunal-process/responding/

Strata Corporation Section 2 of Strata Plan The Owners, Strata Plan BCS3495 (Strata Corporation)	PIN: 33383
Type: Strata Section	
Address: 200 Granville Street Suite 700 Vancouver, British Columbia V6C1S4, Canada	Strata contact To be provided

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Amount

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e-mail correspondence	letter from neighbor, previous strata President, confirming no noise