

Housing Minister Selina Robinson,
MLA and Deputy Premier Carole James,
MLA Spencer Herbert Chandra,
MLA Harry Bains

7 March 2018

Legal-cost double jeopardy is faced by your constituents who are residential long-term leaseholders.

Dear Minister and MLAs:

As you are aware, residential long-term leaseholders are petitioning you for basic landlord-tenant protections. You may also know that court cases are pending regarding the behaviour of building owner Westsea Construction. But you may not realize that this company is fighting legal challenges by lessees with the lessees'/tenants' money. This untenable situation makes more urgent our plea for provincial legislation to protect us.

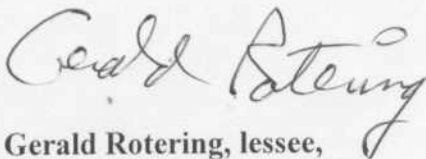
The one legal ruling on this issue, by B.C. Supreme Court Justice B.D. MacKenzie, was that Westsea Construction, owner of Orchard House tower in Victoria, could NOT charge its legal expenses to its lessees. That was appealed, however, and remains unresolved. The court actions on this are unfairly exhausting the lessee who is a self-represented litigant.

This threat to our housing affordability (38% increase in monthly fees for 2018!) does not belong in the courts at all, where we lessees can hardly afford our own costs in event of a suit, much less also those of our landlords. We need a provincial prohibition on this practice.

We understand that the Province cannot overturn our leases or intervene in some interpretations that must come from the courts. But you CAN legislate basic tenant rights for us and prohibit the double-jeopardy situation that we must pay our opponent's full legal expenses, and even if we win and are awarded costs, that those costs are billed back to us. This is simply outrageous.

Please assign staff immediately to frame legislation that we constituents/lessees urgently need.

Sincerely yours,



Gerald Rotering, lessee,
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Attached: *My own petition letter with the key paragraph boxed.
*My article in the Times-Colonist newspaper of 4 March 2018