



Dispute Notice

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

Dispute Number: SC-2020-004213

Application Submitted: June 02, 2020

Dispute Notice Issued: June 03, 2020

Notice To - Who the claim is against

These are the people or organizations the claims are against.

JULIE TRACHE

WESTSEA CONSTRUCTION LTD.

Initiated By - Who requested resolution

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

KATHLEEN WALKER

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:

KATHLEEN WALKER

Email: kaysplaces@gmail.com

Phone: 250 483-6553

903 647 Michigan St

903
Victoria, British Columbia
V8V1S9, 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/

JULIE TRACHE

Type: Person

Email: info@westsea.ca

Phone: 604 681-2727

Fax: 604 684-8075

1330 Harwood St

Vancouver, British Columbia

V6E1S8, Canada

WESTSEA CONSTRUCTION LTD.

Type: Organization

Type of business: Corporation

Address:

1200 - 925 WEST GEORGIA STREET

VANCOUVER, British Columbia

V6C3L2, Canada

Organization contact

Unknown Unknown

1200 - 925 WEST GEORGIA STREET

VANCOUVER, British Columbia

V6C3L2, 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-062537

Claim summary

Reimbursement of the litigation fees assessed and paid "under protest" for Mr Trenchard's court cost

Claim description

June 7, 2018 and in later assessments, Westsea assessed all leaseholders the cost of litigation / legal fees for court cases and or hearings in which one other leaseholder, Mr Hugh Trenchard is named. The case(s) is still under appeal by Westsea as the original decision was that the legal fees were not a cost they could impose on the leaseholders.

When the person requesting resolution became aware of the claim

Approximately June 12, 2018 when I received the letter/statement dated June 7, 2018 by regular mail with the amounts for each unit's allotment of the litigation expenses in relation to court cases between Mr Hugh Trenchard and Westsea Construction.

Requested Resolution

Amount

- | | |
|--|-----------|
| 1. Litigation fees on court cases against leaseholder Hugh Trenchard, I was not named nor was I part of any action, I was assessed without consultation and forced to pay or be in breach of my lease. | \$5000.00 |
|--|-----------|

Total: \$5000.00

Dispute Claim 2

Claim ID
C-062896

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

There is no negotiation or mediation process for leaseholders. Leaseholders have no provincial rights as Renters or Strata owners are provided. We have a financial investment but absolutely no protection or any rights to protect our investment. A number of the leaseholders refused to pay the litigation / legal fee amounts included on the assessment and on the monthly fees. Westsea has a legal action against them. We have involved MLA Carole James and Housing Minister Selena Robinson and have made some slow progress in having some legislation to protect leaseholders as there is for renters and strata owners. The expenses we are required/ demanded to pay by Westsea are often vague and not fully disclosed. When a request for disclosure or clarification is made, it is dismissed by the lawyer as "inappropriate.". Many of us are seniors on limited incomes and cannot afford to hire a lawyer, even navigating the CRT process is difficult and daunting and too stressful for most.