

NO: **R099**

COUNCIL DATE: **May 27, 2013**

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **May 23, 2013**

FROM: **City Solicitor**

FILE: **8120-16800**

SUBJECT: **Remedial Action Requirement Related to a Fire-Damaged Structure Located on the Property at 8120 - 168 Street**

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## RECOMMENDATION

The Legal Services Division recommends that Council resolve:

1. That the fire-damaged structure (the "Structure") located at 8120 - 168 Street (the "Property") is a nuisance within the meaning of Section 74(1)(a) of the *Community Charter*, S.B.C. 2003, c. 26 (the "*Community Charter*");
2. That the Structure is also a nuisance within the meaning of Section 74(2) of the *Community Charter* as Council considers the Structure so dilapidated or unclean as to be offensive to the community;
3. Pursuant to Sections 72 and 74 of the *Community Charter*, to impose a remedial action requirement on the owners of the Property in the following terms:

*"That the owners of the Property with a civic address of 8120 - 168 Street demolish and remove from the Property the fire-damaged structure that is located on the Property within 30 days of delivery of notice of Council having adopted a remedial action requirement with respect to the Property, which demolition and removal shall be in compliance with all City of Surrey by-laws and other applicable statutes, regulations and guidelines;"*

4. That if the owners of the Property fail to comply with the remedial action requirement by the date specified, the Manager, By-law & Licensing Services, together with workers or contractors employed by the City of Surrey, are authorized to enter on the Property and to complete the remedial action requirement at the expense of the owners of the Property and the City of Surrey will recover all expenses, together with interest and costs, in the same manner as municipal taxes;

5. That notice of the remedial action requirement set out above be sent in the form set out in Appendix "E" to all persons who own or occupy the Property, as well as all holders of registered charges in relation to the Property; and
6. That any person served with notice of the remedial action requirement set out above may provide the City with written notice of a request for Council to reconsider the remedial action requirement within 14 days of being sent the notice of the remedial action requirement.

## **INTENT**

The purpose of this report is to provide information regarding the condition of the Structure on the Property, which is considered to constitute a nuisance, and to bring forward for Council consideration a resolution for a remedial action requirement against the owners of the Property, which will act to motivate corrective action to eliminate the nuisance on the Property.

## **BACKGROUND**

The following provides a chronology of events related to the Structure and the Property:

October 30, 1989: Mr. Lal Singh Sarai ("Mr. Sarai") and Ms. Rattan Kaur ("Ms. Kaur") purchased the Property. To the northeast of the Property at 8222 – 168A Street is Coast Meridian Elementary School.

May 1996 to present: Staff has, on numerous occasions, observed that the Property had become unsightly even after Mr. Sarai cleaned it. Staff has informed Mr. Sarai, verbally and by letter, on numerous occasions that the Property is unsightly and required cleaning up. Throughout this period, the unsightliness included materials being scattered throughout the Property, including old appliances, clothes, toys, scrap metal, old bicycles, furniture, tarps, overgrown grass and weeds, and miscellaneous garbage. On several occasions, the Property has been cleaned voluntarily. On July 22, 2008 and September 2, 2010, the City conducted a clean-up of the Property as the owners did not do it voluntarily.

May 29, 1996: Staff attended the Property and observed that the Structure was vacant; there was an open septic tank on the Property and an accumulation of refuse.

June 7, 1996: Staff sent a letter to the owners of the Property advising of the inspection on May 29, 1996 and requesting that within 30 days, the windows and doors of the Structure were to be boarded up and the septic tank was to be pumped and filled with granular material. The refuse on the Property was to be removed within 7 days. There is no record on City files that confirms the Property owners received this letter.

July 5, 1996: Staff attended the Property and observed that the Property was not secure and the septic tank had not been filled or covered.

July 12, 1996: Staff sent a letter to Mr. Sarai advising that Council would consider a resolution to declare the Structure a nuisance and hazardous to the community and to order the Property owners to board up the Structure; remove all debris from the Property; and drain and fill the septic tank with granular fill.

July 18, 1996: Mr. Sarai attended at City Hall and advised that he had received the letter of July 12, 1996 from the City. Staff again informed Mr. Sarai of the City's requirements as stated in the letter.

August 29, 1996: Staff met with Mr. Sarai and informed him that the septic tank had to be securely covered within 24 hours and that the police were recently at the Property as the windows on the Structure were smashed. Mr. Sarai indicated that the windows would be boarded up as soon as possible.

September 3, 1996: Staff attended the Property and observed that the windows and doors were boarded up, but jagged glass and nails was protruding creating a hazard; a well at the rear of the Property required filling; garbage was present on the Property; and the septic tank was filled. Council adopted a resolution, which was sent to Mr. Sarai on July 12, 1996. Attached to this report as Appendix "A" is an excerpt from the minutes of the Council meeting of September 3, 1996. The Property owners were not present at the Council meeting. There is no indication in the City's files as to whether the work described in the resolution was completed to the City's satisfaction or that staff performed the work described in the resolution.

September 19, 1996: Staff sent a copy of the September 3, 1996 resolution to the Property owners. There is no record on City files that confirms the Property owners received this letter.

April 21, 1997: Staff attended the Property and observed that the Structure was secure and a sign was posted on the Property that stated that the Structure was under demolition.

September 6, 2007: Surrey Fire Service attended the Property and observed wires burning in the fireplace of the Structure.

September 7, 2007: Staff received a call from a complainant advising that there was a fire at the Structure the night before and that it was not secure. The complainant advised there is a nearby elementary school and children are walking past or through the Property. Staff attended the Property and confirmed that the Structure was not secure. Surrey Fire Service had its contractor board up the Structure.

September 19, 2007: Staff attended the Property and observed that the Structure was secure.

September 21, 2007: Staff received a complaint regarding the Property that children from Coast Meridian Elementary School are being attracted to the junk on the Property and the complainant was concerned someone may get hurt.

February 21, 2008: Staff attended the Property and observed that the Structure was not secure, in that the plywood on the front and rear doors was removed.

February 22, 2008: Surrey Fire Service had its contractor board up the Structure.

March 19, 2008: Mr. Sarai attended City Hall requesting information about his obligations to secure the Property and to prevent further fires. Staff informed him that the Property was not secure as the plywood boards had been removed and that Surrey Fire Service will re-attend to re-secure the Structure if the Property is not secure.

April 28, 2008: Staff attended the Property and observed that the Structure was secure.

August 15, 2008: Surrey Fire Service attended the Property to attend to a fire in the upper southeast corner of the Structure.

August 28, 2008: Staff attended the Property and observed that six windows on the Structure were open and that there was new fire damage inside the Structure. Staff forwarded the matter to Surrey Fire Service to have the Structure boarded up.

September 11, 2008: Surrey Fire Service had its contractor board up the Structure as it was not secure.

September 18, 2008: Staff attended the Property and observed that the Structure was secure.

July 28, 2009: Staff attended the Property and observed that some of the windows on the upper floor were not secure.

August 18, 2009: Staff attended the Structure and observed that it was secure.

January 12, 2010: Staff received a complaint that the second floor windows of the Structure were not secure and local school children were using a rope to gain access to the second floor at the rear of the Structure. Staff observed that the two rear windows on the second floor of the Structure were not secure and forwarded the matter to Surrey Fire Service. Surrey Fire Service had its contractor board up the Structure.

June 14, 2010: Staff received a call from a complainant advising that the Structure was not secure.

June 15, 2010: Staff communicated with the complainant, who advised that children and possibly squatters were entering the Structure through a rear door. Staff attended the Property and observed that the Structure was not secure and forwarded the matter to Surrey Fire Service.

June 16, 2010: Surrey Fire Service spoke to Mr. Sarai, who indicated that he would be boarding up the Structure.

August 14, 2010: Staff attended the Property and observed that the Structure was secure.

June 14, 2011: Staff attended the Property and observed that the Property was secure.

July 10, 2011: Surrey Fire Service attended the Property and found an active fire at the Structure. The upper floor had collapsed into the open doorway at the rear of the Structure. Surrey Fire Service had its contractor board up the Structure.

February 22, 2012: Staff received a complaint regarding the condition of the Structure with a request that the City tear it down. Attached to this report as Appendix "B" is a copy of the complaint. Staff attended the Property and observed that the Structure was not secure. Staff forwarded the matter to Surrey Fire Service to have the Structure secured.

February 23, 2012: Surrey Fire Service attended the Property and saw that all windows had been boarded up except one window on the second floor of the Structure. Surrey Fire Service left a message for Mr. Sarai advising that a window on the Structure needed to be boarded up. Surrey Fire Service did not receive a response.

February 28, 2012: Surrey Fire Service left a message for Mr. Sarai following up on the February 23, 2012 message requesting information as to whether the Structure was boarded up. Surrey Fire Service did not receive a response.

March 2, 2012: Surrey Fire Service left a message for Mr. Sarai following up on the previous message of February 28, 2012 requesting information as to whether the Structure was boarded up. Surrey Fire Service did not receive a response.

March 8, 2012: Surrey Fire Service confirmed that the Structure was secure.

August 29, 2012: Staff attended the Property and observed that the Structure was secure.

October 26, 2012: Staff received a report from the RCMP that the Structure was not secure and that homeless people were entering the Structure. Staff attended the Property and observed that the board securing the front door entrance was torn off. Staff sent a letter to the Property owners advising that the Structure was not secured and requesting that the situation was to be remedied within five days of receipt of the letter. The City's files indicate that the letter was received by a person other than the Property owners. There is no record in the City's files indicating that the letters were received by the Property owners.

November 2, 2012: Surrey Fire Service called Mr. Sarai requesting information as to whether the Structure was secure.

November 26, 2012: Surrey Fire Service arranged with Mr. Sarai to attend his residence to issue him an Order to Remedy Conditions for the Property and the Structure. Surrey Fire Service attended Mr. Sarai's residence at 11630-88A Avenue, Delta, British

Columbia. He was not home. As a result, Surrey Fire Service issued, to a resident of the residence, an Order to Remedy Conditions pursuant to Section 29 of the Surrey Fire Service By-law, 1990, No. 10771. The Order to Remedy Conditions required the owner or occupier to destroy or repair the Structure; the Structure was to be secured and maintained secure by the owner or occupier and the owner or occupier was to remove or take precautions against a fire hazard.

December 13, 2012: The Property owners applied to the City to rezone and subdivide the Property. The application is still in its preliminary stages and has not yet been considered by Council.

December 18, 2012: Staff attended the Property and observed that the Structure was secure.

December 20, 2012: Staff attended the Property and observed that the Structure was secure.

January 8, 2013: Staff attended the Property and observed that the Structure was secure.

January 14, 2013: Surrey Fire Service attended the Property and observed that the back door on the second floor and two windows on the veranda of the Structure were not boarded up. The first floor window under the deck was not completely secure.

February 8, 2013: A complaint was sent to Mayor and Council advising of the condition of the Structure and that children are visiting the Property. The complainant requested that the Structure be taken down. Attached to this report as Appendix "C" is a copy of the complaint. Surrey Fire Service left a message with Mr. Sarai requesting that he secure the Structure.

February 15, 2013: Surrey Fire Service attended the Property and observed that the Structure was not secure.

February 20, 2013: Staff attended the Property and observed that the Structure was secure except for a window on the second floor of the Structure, which was not boarded. Graffiti was observed on the Structure.

April 21, 2013: Staff attended the Property and observed that the Structure's lower floor was secure, but a rear window and door on the second floor of the Structure were not boarded up. Graffiti was observed on the Structure. Staff served Mr. Sarai with notice of the Council meeting set for May 6, 2013 at which time Council would be considering a remedial action requirement with respect to the Property and the Structure.

April 22, 2013: Staff received a telephone call from Mr. Sarai requesting that Council consideration of the remedial action requirement be deferred to the end of June 2013 as he needed time to decide what he wanted to do. Staff advised Mr. Sarai that the matter needed to be addressed as soon as possible and as such gave Mr. Sarai an additional two weeks with Council consideration of the remedial action requirement being set for

the Council meeting to be held on May 27, 2013. Staff sent the Property owners and charge holders a letter advising of the new Council meeting date.

May 1, 2013: Mr. Sarai attended City Hall and advised staff that he wanted more time to address the issues and that he did not believe the matter needed to be before Council. Staff advised him that the matter was scheduled to proceed before Council on May 27, 2013 and that he may wish to forward his presentation to Council in writing.

May 6, 2013: Staff attended the Property and observed that the Property was secure, except for one window on the second floor.

May 7, 2013: Staff attended Mr. Sarai's residence and discussed the issues regarding the Property. Mr. Sarai indicated he was willing to demolish part of the Structure, but not the entire Structure. Staff attended the Property and observed that it was secure.

May 10, 2013: Staff attended the Property and observed that the plywood securing the front door was removed and leaning against the entrance. Staff contacted Mr. Sarai, who indicated he removed the board to show someone around the Structure. He indicated to Staff that he would re-secure the Structure the next morning. Staff took photographs of the Structure.

May 16, 2013: Mr. Ahmed (Raza) Syed ("Mr. Raza"), an engineer hired by Mr. Sarai, attended City Hall and explained to staff that Mr. Sarai wished to demolish only those portions of the Structure that are fire-damaged and to repair those portions of the Structure, if any, that Mr. Raza deemed repairable. Staff asked Mr. Raza to send a letter to the City for consideration.

May 21, 2013: Mr. Raza attended City Hall and delivered to staff a letter advising that he and his client would be applying for a demolition permit and requested that Council not consider the remedial action requirement on May 27, 2013. Mr. Raza again reiterated that their intention was to demolish the fire-damaged portions of the Structure and to repair any portions that can be saved.

May 22, 2013: Staff advised Mr. Raza that Council would still be considering the remedial action requirement scheduled to proceed before Council on May 27, 2013.

Photographs of the Property and Structure taken on May 10, 2013 are attached to this report as Appendix "D".

## **DISCUSSION**

Pursuant to Section 74(1) of the *Community Charter*, Council may declare a building or other structure to be a nuisance. In addition to, and independent of Section 74(1), Council may, pursuant to Section 74(2) of the *Community Charter*, declare as a nuisance a thing that Council considers so dilapidated or unclean as to be offensive to the community.

The Property and the Structure constitutes a nuisance under Sections 74(1) and (2) based on the numerous fires, the attraction it poses to children and vagrants, its dilapidated state of repair and complaints about the Structure. Based on the failure of the owners to voluntarily rectify the nuisance Council may, pursuant to Sections 72 and 74 of the *Community Charter*, proceed to adopt the resolutions as contained in the "Recommendations" section of this report as means to rectify the nuisances. The resolutions, if adopted, constitute a Remedial Action Requirement (the "RAR"), which will obligate the owners to comply with the conditions contained in the RAR within 30 days of being delivered notice of the Council resolution adopting the RAR. In the event that the owners fail to carry out the required remedial actions within 30 days of being given notice, the resolutions act to authorize the City and/or its agents to enter onto the Property to carry out the required remedial work at the expense of the owners, using Section 17 of the *Community Charter* as its authority. Any expenses incurred by the City in undertaking the work may be collected as a debt or unpaid taxes pursuant to Sections 17 and 258 of the *Community Charter*.

Under Section 77 of the *Community Charter*, notice of the RAR must be given to the owners of the Property, any occupiers of the Property, and the holders of any registered charges in relation to the Property.

Under legislation, the owners or others having an interest in the Property may seek reconsideration of Council's decision to impose the RAR if the owners or other party provides a written request within 14 days of the notice of the RAR being sent to the owners or other party. Council must then provide an opportunity to the owners or other party having an interest in the Property to make representations before Council. Council after hearing the owners or other party may confirm, amend, or cancel the RAR.

## CONCLUSION

Based on the above discussion, the Legal Services Division recommends that Council resolve:

- That the fire-damaged structure (the "Structure") located at 8120 - 168 Street (the "Property") is a nuisance within the meaning of Section 74(1)(a) of the *Community Charter*, S.B.C. 2003, c. 26 (the "*Community Charter*");
- That the Structure is also a nuisance within the meaning of Section 74(2) of the *Community Charter* as Council considers the Structure so dilapidated or unclean as to be offensive to the community;
- Pursuant to Sections 72 and 74 of the *Community Charter*, to impose a remedial action requirement on the owners of the Property in the following terms:

*"That the owners of the Property with a civic address of 8120 - 168 Street demolish and remove from the Property the fire-damaged structure that is located on the Property within 30 days of delivery of notice of Council having adopted a remedial action requirement with respect to the Property, which*



*demolition and removal shall be in compliance with all City of Surrey by-laws and other applicable statutes, regulations and guidelines;"*

- That if the owners of the Property fail to comply with the remedial action requirement by the date specified, the Manager, By-law & Licensing Services, together with workers or contractors employed by the City of Surrey, are authorized to enter on the Property and to complete the remedial action requirement at the expense of the owners of the Property and the City of Surrey will recover all expenses, together with interest and costs, in the same manner as municipal taxes;
- That notice of the remedial action requirement set out above be sent in the form set out in Appendix "E" to all persons who own or occupy the Property, as well as all holders of registered charges in relation to the Property; and
- That any person served with notice of the remedial action requirement set out above may provide the City with written notice of a request for Council to reconsider the remedial action requirement within 14 days of being sent the notice of the remedial action requirement.

CRAIG MacFARLANE  
City Solicitor

BL:ld

u:\legalsrv\legal\corp\_rep\2013\may 23,13- fire damage - 8120 - 168 st - 2nd cr.docx  
LB1 5/23/13 11:30 AM

Appendix "A" – Excerpt from September 3, 1996 Council Minutes

Appendix "B" – February 22, 2012 Complaint

Appendix "C" – February 8, 2013 Complaint

Appendix "D" – Photographs of the Property

Appendix "E" – Notice to Owners

Appendix "F" – Description of the Property

c.c. Manager, By-law & Licensing Services  
Manager, Building Division

## APPENDIX "A"

### Excerpt from September 3, 1996 Council Minutes

*Regular Council - Minutes*

*September 3, 1996*

was left for members of Council. As well, Mr. Kupaik described the criteria and categories for which awards will be presented.

Mr. Leung urged Council to continue the Youth Recognition program to inspire Youth to do good deeds. He added that it is important to place emphasis on the positive contributions that young people make to the community.

Mayor Bose joined members of Council offered their appreciation to Committee members for their contribution to the City. Mayor Bose advised that Councillor Villeneuve will officiate at the ceremony as he is unable to attend.

It was  
Moved by Councillor Lewin  
Seconded by Councillor McKinnon  
That the Mayor send a letter of thanks be sent to all the young people who participated in the program as well as to staff for such a worthwhile project.

RES.96-2578

Carried

Councillor Robinson commented that as a courtesy to members of the viewing audience it would be useful to have photographs of the properties subject to Section 936 Orders displayed on the overhead. He requested that this be the normal practice for future Section 936 Orders. Councillors expressed support for this idea.

2. **Mr. Lal Singh Sarai**  
**Mrs. Rattan Kaur**  
8120 - 168 Street  
(08120-16800; 2152-16800; 0065-012)

Mr. Lal Singh Sarai and Mrs. Rattan Kaur were not in attendance to respond to a Section 936 Order regarding a vacant building located at 8120 - 168 Street which is considered a nuisance and hazardous to the community.

It was Moved by Councillor Robinson  
Seconded by Councillor Higginbotham  
That the Council of the City of Surrey  
hereby declares that the vacant building located on Lot 18, Section 30, Tp. 8,  
NWD, Plan 26642 being 8120 - 168 Street is a nuisance and hazardous to the  
community. It is hereby ordered that the said vacant building be boarded up and,  
if necessary, all debris removed from the site by the owners or agent of the owners  
within thirty (30) days of service of this order upon them. It is also requested that  
the open septic tank be drained and filled with clean, granular fill. It is further  
ordered that, should the owners or agent of the owners fail to comply with the  
aforesaid order within the said period of thirty (30) days, the City of Surrey, by  
our own workmen or contractors, may enter on the land and board up the vacant  
building and, if necessary, remove the debris from the site at the expense of the  
owner and the charges for so doing, if unpaid by the owner on the 31st day of  
December of any year, shall be added to and form part of the taxes payable in  
respect of that land as taxes in arrears.

RES.96-2579

Carried

3. **Baldev Singh Kahlon**  
**Adesh Kahlon**  
12570 - 72 Avenue  
(12570-07200; 2152-07200; 0065-012)

Baldev Singh Kahlon and Adesh Kahlon were not in attendance before Council to  
respond to a Section 936 Order regarding the following: .

- (a) a fire damaged building and accessory building located at  
12570 - 72 Avenue which are considered so dilapidated, to a state beyond  
repair, and uncleanly a condition as to be considered a nuisance and  
offensive to the community.
- (b) an open concrete tank located at 12570 - 72 Avenue which requires filling  
with clean granular fill.

Mayor Bose pointed out that staff have advised that this matter has now been  
concluded and requires no further action.

4. **Pro Backhoe Services Ltd.**  
14954 - 102A Avenue  
(14954-10250; 2152-10250; 0065-012)

No one was in attendance before Council to respond to a Section 936 Order  
regarding a vacant building located at 14954 - 102A Avenue which is considered  
a nuisance and hazardous to the community.

APPENDIX "B"

February 22, 2012 Complaint

Hesp, Allison

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From: [REDACTED]  
Sent: February-22-12 11:44 AM  
To: Bylaw Complaints  
Subject: Online Service Requests

NAME:  
[REDACTED]

EMAIL ADDRESS:  
[REDACTED]

The following information was submitted from the City of Surrey website:

Subject: Service Request Online

Name: [REDACTED]

Address: [REDACTED] Phone Number: [REDACTED]

Problem Description: House is unoccupied, burnt from fire, boarded up. Has been abandoned for at least 2 years. Now other residents are dumping garbage in the yard. When is the city going to tear down this property? If it's up to the owners and it hasn't been done, then Surrey should hire a contractor to do tear down and place a lien on the property. This home really puts the "Surrey" in Surrey.

Problem Location: 8120 168 Street

Service Request Type: Unsightly Property

APPENDIX "C"

February 8, 2013 Complaint

Samut, Naslma

From: Clarke, Christopher  
Sent: February-08-13 2:59 PM  
To: Clerks Department Webmail  
Subject: FW: Mayor Watts and all Councillors - Vacant House in our Coast Meridian Community  
Attachments: House 1.jpg; House 2.jpg; House 3.jpg

For circulation.

Thanks,  
Chris

To: *Bylaws & Lic.*  
Please respond to writer and  
copy Council  
*for*  
*end* CITY CLERK

-----Original Message-----

From: [REDACTED]  
Sent: February-08-13 2:14 PM  
To: Clarke, Christopher  
Subject: FW: Mayor Watts and all Councillors - Vacant House in our Coast Meridian Community

Hello,

My name is [REDACTED] here in Surrey. I was wondering if you could help me out with an issue here in our community. We have a large plot of land [REDACTED] and on that plot there is an old house (8120 168 Street & 81A Street) that is partially burnt, not fully boarded down, open to squatters and has become a safety concern to our Coast Meridian Community. There has also been a few [REDACTED] students that have visited the site and I am concerned about the safety of [REDACTED] students. [REDACTED] here at Coast Meridian has also brought up their concerns.

Is there anything we can do about this situation? Ideally, I would like to see the house taken down. This house has been an eye sore and safety concern in our community for at least 7 years and it would be nice to see this situation resolved.

Any help would be greatly appreciated.

I can be contacted at [REDACTED] or on my cell [REDACTED]

Thank you

ps I have inserted 3 pictures of the existing house.

[cid:bf8823f4-383e-4ba6-b8ed-e8472d522a05]

[cid:12d18205-f67d-43ca-be77-75459f6d564a]

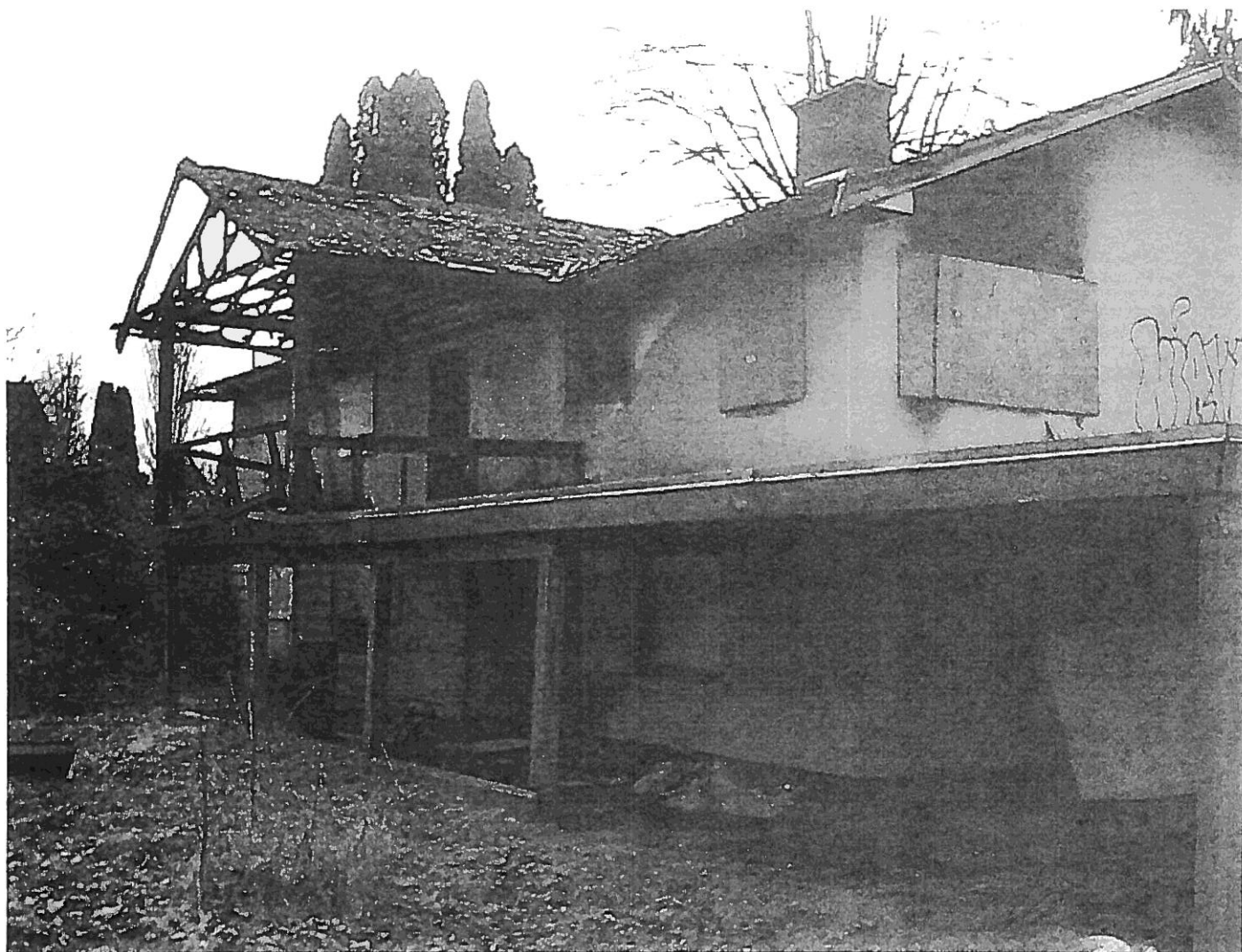
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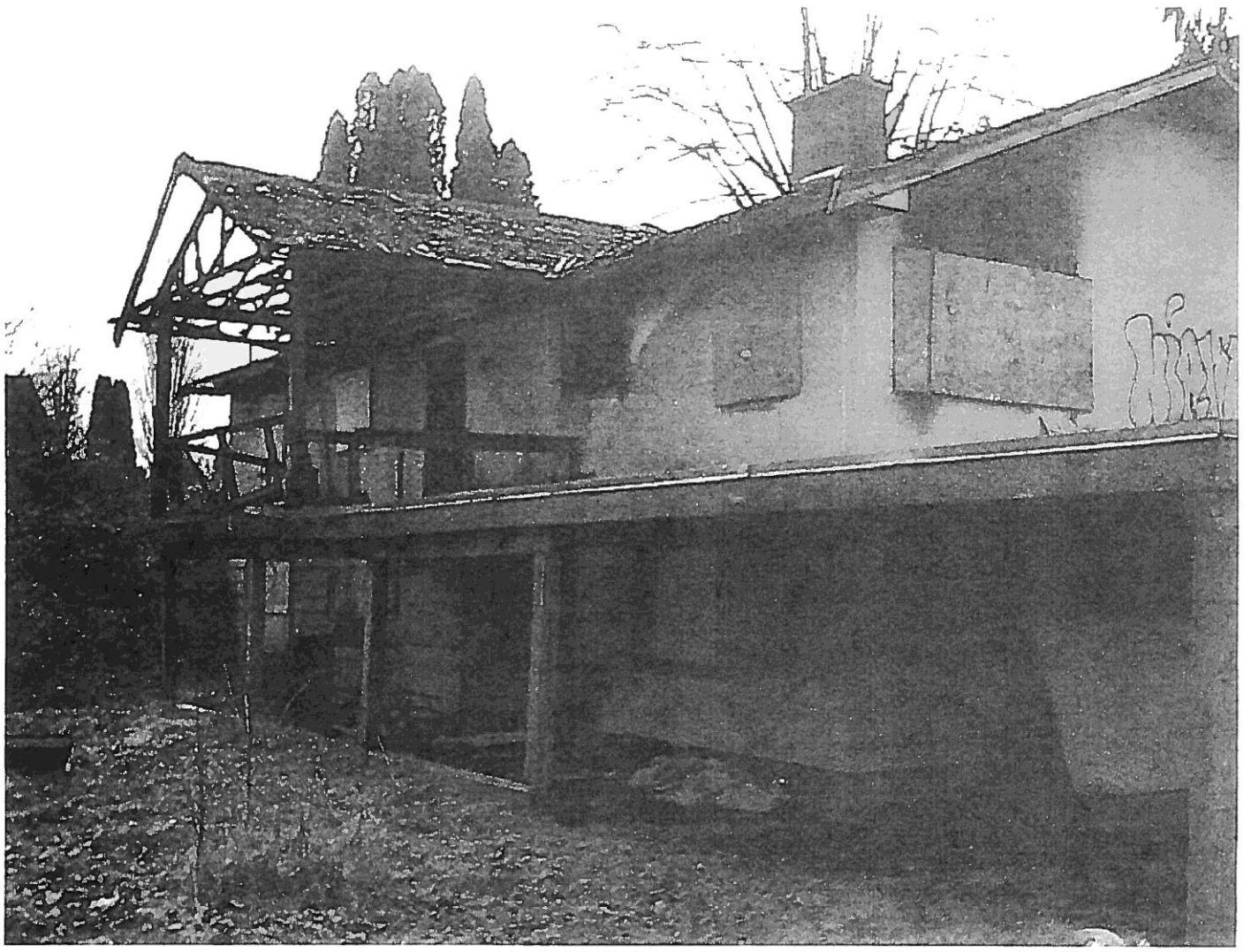
[REDACTED]

CLERKS DEPT.  
4020-20  
FEB 08 2013

TO: *Council*  
For your information  
*for*  
*end* CITY CLERK

*cc: mgr Bylaws & Licensing  
cm Planning*









**APPENDIX "D"**

**Photograph of the front and side of the Structure**



**Photograph taken May 10, 2013**

**Photograph of the front and side of the Structure**



**Photograph taken May 10, 2013**



**Photograph of the front of the Structure with a plywood board leaning against the front entrance**



**Photograph taken May 10, 2013**

**Photograph of inside the front entrance of the Structure**



**Photograph taken May 10, 2013**



**Photograph of inside the front entrance of the Structure**



**Photograph taken May 10, 2013**

**Photograph of the side of the Structure's second floor**



**Photograph taken May 10, 2013**

**Photograph of the side of the Structure's second floor**



**Photograph taken May 10, 2013**



**Photograph of the side and back of the Structure**



**Photograph taken May 10, 2013**



**Photograph of the side and back of the Structure**



**Photograph taken May 10, 2013**

**Photograph of the back of the Structure**



**Photograph taken May 10, 2013**

**Photograph looking up at the railing and roof of the balcony at the back of the Structure**



**Photograph taken May 10, 2013**



**Photograph looking up through the floor of the balcony at the back of the Structure**



**Photograph taken May 10, 2013**

**Photograph looking up through the floor of the balcony at the back of the Structure**



**Photograph taken May 10, 2013**

**Photograph looking up at the floor of the balcony at the back of the Structure**



**Photograph taken May 10, 2013**

**APPENDIX "E"**

**NOTICE**

TO: LAL SINGH SARAI  
11630 - 88A Avenue  
Delta, B.C.  
V4C 3E5

RATTAN KAUR  
8120 - 168 Street  
Surrey, B.C.  
V3S 5X7

RE: **Remedial Action Requirement** on that parcel of land in the City of Surrey,  
Province of British Columbia, which is more particularly known and described as:

PID: 007-729-979  
Lot 18, Section 30, Township 8  
New Westminster District Plan 26642

(the "Property")

YOU ARE NOTIFIED that on May 27, 2013, the City Council of the City of Surrey imposed the following remedial action requirement in relation to the Property which requires you to comply with this notice:

That the owners of the Property with a civic address of 8120 - 168 Street demolish and remove from the Property the fire-damaged structure that is located on the Property within 30 days of delivery of notice of Council having adopted a remedial action requirement with respect to the Property, which demolition and removal shall be in compliance with all City of Surrey by-laws and other applicable statutes, regulations and guidelines;

(the "Work")

AND IF YOU FAIL to complete the Work within 30 days, the City Council has authorized the Manager, By-law & Licensing Services, together with workers or contractors employed by the City of Surrey, to enter on the Property and to complete the Work as required by the remedial action requirement. The Work will be done at your expense and the City of Surrey will recover the expense of the Work, together with interest and costs, in the same

manner as municipal taxes as provided in Sections 17 and 258 of the *Community Charter*, S.B.C. 2003, c.26.

A RECONSIDERATION of this remedial action requirement may be requested by you in writing within 14 days of this notice being sent, but your request must comply with Section 78 of the *Community Charter*, S.B.C. 2003, c. 26.

THIS NOTICE is given by the City of Surrey this \_\_\_\_\_ day of May, 2013.

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CITY CLERK



## APPENDIX "F"

### DESCRIPTION OF THE PROPERTY

#### Legal Description of the Property:

PID: 007-729-979  
Lot 18, Section 30, Township 8  
New Westminster District Plan 26642

#### Civic Address of the Property:

8120 – 168 Street, Surrey, B.C.

#### Registered Owners of the Property:

Lal Singh Sarai and Rattan Kaur

#### Registered Charge Holders:

The Director of Soldier Settlement of Canada  
c/o Veteran Affairs Canada  
Undersurface Rights No. 205014E  
14<sup>th</sup> Floor – 66 Slater Street  
Ottawa, Ontario  
K1A 0P4

Attention: Mary Chaput, Deputy Minister of Veteran Affairs

Vancouver City Savings Credit Union  
Mortgage No. AB72842  
7211 – 120 Street  
Delta, BC V4C 6P5

Attention: Lending Department

Fairmont Enterprises Ltd. (Incorporation No. 161041)  
Judgment No. AC313948  
20225 – 40 Avenue  
Langley, BC V3A 2W8

Attention: Tibor Kiraly

Balvir Kaur Sarai  
Certificate of Pending Litigation No. BM40530  
c/o James L. Davidson & Co.  
#403 -16033 – 108 Avenue  
Surrey, BC V4N 1P2

Balvir Kaur Sarai  
Court Order No. BM280826  
c/o Family Maintenance Enforcement Program  
PO Box 80449  
Burnaby, BC V5H 3X9

Attention: Angela Accettura, Legal Counsel

Caissie & Austin (now named Caissie & Company)  
Judgment No. BP80108  
#205 - 15127 - 100 Avenue  
Surrey, BC V3R 0N9