

NO: **R195**

COUNCIL DATE: **September 28, 2015**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **September 24, 2015**

FROM: **City Solicitor**

FILE: **2809-15200**

SUBJECT: **Remedial Action Requirement Related to the Structure Located on the Property at 2809 - 152 Street**

RECOMMENDATION

The Legal Services Division recommends that Council resolve:

1. That Council considers that the house and attached carport (the "Structure") located at 2809 - 152 Street (the "Property") is in or creates an unsafe condition within the meaning of Section 73(2)(a) of the *Community Charter*, S.B.C. 2003, c. 26 (the "*Community Charter*");
2. That the Structure is a nuisance within the meaning of Section 74(1)(a) of the *Community Charter*;
3. 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;
4. Pursuant to Sections 72, 73 and 74 of the *Community Charter*, to impose a remedial action requirement on the owner of the Property in the following terms:

"That the owner of the Property with a civic address of 2809 - 152 Street demolish and remove from the Property the house and attached carport that are 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."

5. That if the owner of the Property fails to comply with the remedial action requirement by the date specified, the Manager, By-laws & 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 owner of the Property and the City of Surrey will recover all expenses, together with interest and costs, in the same manner as municipal taxes;
6. That notice of the remedial action requirement set out above be sent in the form set out in Appendix "VII" to all persons who own or occupy the Property, as well as all holders of registered charges in relation to the Property; and

7. 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 an unsafe condition and nuisance, and to bring forward for Council consideration a resolution for a remedial action requirement against the owner of the Property, which will act to motivate corrective action to eliminate the unsafe condition and nuisance on the Property.

BACKGROUND

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

October 27, 1999: 384451 B.C. Ltd. purchased the Property. A single individual is the sole director and officer of the company (the "Director").

June 30, 2010 to present: The City has received numerous complaints from neighbouring residents about the unsightly condition of the yard of the Property. Staff has, on numerous occasions, observed that the yard around the Property had become unsightly even after the Property owner or its agents cleaned it. Staff has informed the Director, verbally and by letter, on many occasions that the Property is unsightly and required cleaning up. Throughout this period, the unsightliness included rubbish and garbage accumulated around the Property and Structure, graffiti on the Structure, and overgrown grass, weeds and blackberry bushes. In each instance, the Director has arranged for the clean-up of the Property after being requested to do so by staff.

December 20, 2011: Staff attended the Property based on information from the RCMP that the Structure was unsecured. Staff observed that the front door and windows were open. The Structure appeared to be vacant and the interior was heavily damaged. Staff called the Director, who advised that he would have the Structure boarded up.

January 5, 2012: Staff attended the Property and observed that the Structure was unsecured. Staff phoned the Director, who advised he was in Toronto for another couple of days. He advised that he hired someone to board up the Structure and would call that person again to ensure the Structure was boarded up.

January 11, 2012: Staff attended the Property and observed that the Structure was boarded up.

May 2, 2012: While on patrol, staff observed that the front door to the Structure was open. Staff phoned the Director, who stated that he would secure the Structure and would consider demolishing it.

May 10, and June 6, 2012: Staff attended the Property and observed that the Structure was secure.

October 10, 2013: While on patrol, staff observed two large graffiti markings on the Structure. Staff phoned the Director, who stated he would address the graffiti issue. Staff dropped off a letter at the Director's place of business requesting that the graffiti be removed within 48 hours.

October 18, 2013: Staff attended the Property and observed that the graffiti had been removed.

May 12, 2014: Surrey Fire Service sent an Order to Remedy Conditions to the Director's business, which ordered the owner of the Property to destroy or repair the premises, secure the premises, and remove or take precautions against a fire hazard.

June 6, 2014: Surrey Fire Service attended the Property and observed that the doors and windows of the Structure were boarded up except for a front window.

July 16, August 25, October 4, November 20, and December 17, 2014: Surrey Fire Service attended the Property on each of these dates and observed that the Structure was secure.

August 26, 2014: Staff phoned the Director's son and advised him that the issue of demolishing the Structure may be brought before Council for consideration. The Director's son advised staff that the Director would likely call staff about the matter.

November 22, 2014: Staff received statements from neighbours of the Property regarding the deteriorated condition of the Structure and Property. Attached to this report as Appendix "I" are copies of the complaints.

December 23, 2014: Staff received a complaint from a neighbour of the Property regarding the deteriorated condition of the Structure and Property. Attached to this report as Appendix "II" is a copy of the complaint.

January 15, 2015 and February 17, 2015: Surrey Fire Service attended the Property and observed that a basement window was open and was not boarded. A living room window was not boarded up. There were signs of recent burning in the fire place and the gas meter was attached and turned off. However, it was not locked meaning it could be easily turned on again.

February 26, 2015: Staff hand delivered a letter to the Director's business and sent the same letter by registered mail to the Director's residence. The registered letter was received by an individual with the same first initial and last name as the Director. The letter advised that the Property was a nuisance and requested demolition of the Structure within 7 days of receipt of the letter. The letter further advised that if demolition was not commenced within the requested time, proceedings would be commenced before Council to seek a remedial action requirement pursuant to the *Community Charter*. Staff received a call from the Director's son and staff again suggested to him that the Structure be demolished voluntarily.

March 17, 2015: Surrey Fire Service arranged to have the Structure boarded up by the City's contractor.

March 20, April 13, May 15, June 8 and September 4, 2015: Surrey Fire Service attended the Property and observed that it was secure.

April 13, 2015: Staff received a statement from a neighbour of the Property regarding the deteriorated condition of the Structure and Property. Attached to this report as Appendix "III" is a copy of the complaint.

September 8, 2015: The City received a building permit application by the Director's son to demolish the Structure.

September 10, 2015: Staff issued a building permit for the demolition of the Structure, but as of September 23, 2015 it has not been picked up by the Director's son or anyone else acting on behalf of the owner.

Present: The Structure poses an attraction to a variety of individuals, including thieves attempting to take items of value, such as piping and wiring; squatters, who are in seek of shelter; and curious youth. Squatters often set fires inside abandoned structures to stay warm. Wire thieves often set fire to wires inside abandoned structures to burn off the plastic insulation so that the metal wiring can be easily resold.

A fire could easily travel rapidly throughout the Structure given the deteriorated condition of the Structure and lack of fire separations. The general decay of the Structure and missing structural support in the carport present a risk of collapse and may pose serious safety hazards for the general public and any responding fire crews, particularly in the event of a fire.

A fire at the Structure could also spread to neighbouring buildings given the heavy overgrown vegetation and close proximity of other neighbouring structures.

Attached to this report as Appendix "IV" is an affidavit affirmed by the Assistant Chief, Stephen Ewart Robinson, detailing the safety risks of the Structure.

Photographs of the Property and Structure taken on August 13, 2015 are attached to this report as Appendix "V".

DISCUSSION

Pursuant to Section 73(2)(a) of the *Community Charter*, Council may consider a building or other structure to be in or creates an unsafe condition.

Pursuant to Section 74(1)(a) 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)(a), 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 Structure is in or creates an unsafe condition under Section 73(2)(a) because it poses an increased risk of collapse in a fire, of a fire spreading to neighbouring buildings and of an improperly set fire. The Structure is a nuisance under Sections 74(1)(a) and (2) based on the deteriorated condition of the Structure, previous graffiti, complaints about the Structure, and the attraction it poses to those depositing garbage on the Property. Based on the failure of the owner to voluntarily rectify the unsafe condition and nuisance Council may, pursuant to Sections 72, 73, 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 unsafe condition and nuisance. The resolutions, if adopted, constitute a Remedial Action Requirement (the "RAR"), which will

obligate the owner 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 owner fails to carry out the required remedial actions within 30 days of being delivered the 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 owner, 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 owner of the Property, any occupiers of the Property, and the holders of any registered charges in relation to the Property.

Under legislation, the owner or others having an interest in the Property may seek reconsideration of Council's decision to impose the RAR if the owner or other party provides a written request within 14 days of being given notice of the RAR being sent to the owner or other party. Council must then provide an opportunity to the owner or other party having an interest in the Property to make representations before Council. Council after hearing the owner 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 Council considers that the house and attached carport (the "Structure") located at 2809 - 152 Street (the "Property") is in or creates an unsafe condition within the meaning of Section 73(2)(a) of the *Community Charter*, S.B.C. 2003, c. 26 (the "*Community Charter*");
- That the Structure is a nuisance within the meaning of Section 74(1)(a) of 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, 73 and 74 of the *Community Charter*, to impose a remedial action requirement on the owner of the Property in the following terms:

"That the owner of the Property with a civic address of 2809 - 152 Street demolish and remove from the Property the house and attached carport that are 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 owner of the Property fails to comply with the remedial action requirement by the date specified, the Manager, By-laws & 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 owner 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 "VII" 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/ke

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Appendix "I" – November 22, 2014 Complaints
Appendix "II" – December 23, 2014 Complaint
Appendix "III" – April 13, 2015 Complaint
Appendix "IV" – Affidavit #1 of Stephen Ewart Robinson
Appendix "V" – Photographs of the Property taken August 13, 2015
Appendix "VI" – Aerial Photograph taken April 2014
Appendix "VII" – Notice to Owner
Appendix "VIII" – Description of the Property

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

APPENDIX "I"

Schulz, Mark

From: [REDACTED]
Sent: November-22-14 10:36 AM
To: Schulz, Mark
Subject: 2809 152nd st

To whom it may concern,

I am a business owner [REDACTED] from the address mentioned in the headline. It has come to my attention that the house on the property is being considered for removal. this particular house has been an eyesore since the day my business moved into the the neighborhood ten years ago and, to my knowledge, has sat vacant and in disrepair since the day I moved in. This house (and the property directly north) are very out of character for the neighborhood and an overhaul is long overdue.

Regards,

A concerned business owner

November 22 2014

My name is [REDACTED]

I am sick and tired of looking at the Pig Sty of a house on 152nd by the Mazda place. The house is a dump, and is a wreck and not fit for human living. Creeps and bums hang around the place and their's garbage all over the place. There are Rats on the grass and the place is falling apart. The roof looks like it'll cave in. It's a filthy mess and has algae over it all and is dirty. Why can't the City do something about this? I have to look at this dump every time I go to work or anywhere, and it affects my property values and I pay taxes for this? The Bylaw guy came by and asked for a statement so Ya, here it is. The place is an ugly stinking mess get rid of it. Just do it tell the owner to push it down.

Thanks

[REDACTED]

APPENDIX "III"

Schulz, Mark

From: [REDACTED]
Sent: April-13-15 4:35 PM
To: Schulz, Mark
Subject: Property at 2809 152nd Street, Surrey, B.C.

To whom it may concern,

For the past 1 1/2 months, I have walked past the deserted home at 2809⁶ 152nd Street in the south Surrey area.

It is disturbing to have to walk past the moldy mattresses and bags of garden waste left to sit there in front of the building, some of it on the public sidewalk.

The building has been boarded up for some time and appears to be non-inhabitable.

I am concerned about the health risk and the unsightliness of this property. It seems to me that the home has been ignored for so long, it should be torn down. It doesn't appear to be able to be rehabilitated.

I would appreciate a reply to this query and appropriate action to clear this eyesore.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

APPENDIX "IV"

Affidavit #1 of Stephen Ewart Robinson
Affirmed: September 11, 2015

IN THE MATTER OF THE REMEDIAL ACTION REQUIREMENTS FOR THE PROPERTY
LOCATED AT 2809 – 152 STREET, SURREY, BRITISH COLUMBIA

AFFIDAVIT

I, Stephen Ewart Robinson, Assistant Chief, of 8767 – 132 Street, in the City of Surrey, in the Province of British Columbia, **MAKE OATH AND SAY AS FOLLOWS:**

1. I am employed as an Assistant Fire Chief of the Fire Prevention Division with the Surrey Fire Service ("**Surrey Fire Service**") at the City of Surrey (the "**City**" or "**Surrey**") and have held this position since 2011 and as such have personal knowledge of the facts and matters hereinafter deposed to save and except where same are stated on information and belief and where so stated I verily believe the same to be true.

2. As part of my duties I am charged with managing the Fire Prevention Office (the "**Fire Prevention Office**") with the Surrey Fire Service, which enforces the Surrey Fire Service By-law, 1990, No. 10771 and addresses complaints regarding abandoned structures and inquiries from the public. I have been with the Surrey Fire Service since 1992 and have served in various roles including, Firefighter, and Acting Captain Suppression Officer.

3. The Fire Prevention Office is charged with addressing abandoned structures as they pose increased safety risks for the public and firefighters. Based on my experience with the Surrey Fire Service, abandoned structures often attract a variety of individuals, including thieves attempting to take items of value, such as piping and wiring; squatters, who are in seek of shelter; and curious youth. Squatters often set fires inside abandoned structures to stay warm. Wire thieves often set fire to wires inside abandoned structures to burn off the plastic insulation so that the metal wiring can be easily resold.

4. Based on my experience, fires that are set in an abandoned building have a greater chance of spreading, thereby endangering the safety individuals and of property, because there is typically no one present to detect the fire in a timely manner; there are typically no functioning fire alarms or smoke detectors; and because fire separations, such as walls and doors are removed or in disrepair. There is also a greater risk of structural collapse of an abandoned building in a fire since they typically have compromised structural members due to weathering, exposure to the elements, and missing fire separations, including drywall and doors that have been removed or are in disrepair. The lack of fire separations result in fires spreading more quickly to the structural elements of a building, thus increasing the risk of collapse.

5. When an abandoned structure comes to the attention of the Fire Prevention Office, our role is to prevent entry to the structure by youth, squatters, vagrants, thieves and other members of the public in order to prevent fires and protect public health and safety. The Fire Prevention Office typically contacts the owner of the property to board up and secure the structure. If the structure is not voluntarily secured or if we cannot locate the owner, we arrange to have a contractor board it up.

6. Abandoned properties that come to the attention of the Fire Prevention Office are regularly inspected by staff, usually on a monthly basis. It is normal practice and a requirement of staff to make notes that accurately reflect their observations immediately after an inspection. Typically, a notation of "Satisfactory" is made beside the phrases "Boarding of building" or "Abandoned/Vacant Boarded Homes" with no further notes, if a structure is properly boarded to prevent access by individuals. If staff observe problems regarding the boarding of the structure or of other security issues, then notes are made documenting the problems. The notes are kept by the Surrey Fire Service in electronic form. Once a note has been entered in the system it cannot be altered without permission from management. I have reviewed the notes of the Fire Prevention Office's inspections for the house and attached carport (the "**Structure**") located at 2809 – 152 Street, Surrey, British Columbia (the "**Property**"). Attached hereto as Exhibit "A" is a true copy of the notes of the Fire Prevention Office. Based on my review of those notes, I believe that the following events occurred:

- a. On or about May 12, 2014, former Chief Fire Prevention Officer, Michael Starchuk, issued to the Property owner an Order to Remedy Conditions. It 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. It is normally the practice to mail the Order to Remedy Conditions and I believe that was done here. The Order to Remedy Conditions references the address of the owner as being 14948 – 32 Avenue Diversion. We usually access City records to determine the address of a property owner and I believe that was how the address for the owner was found in this case. Based on my subsequent review of City records, I found that the owner owns the property at 14948 – 32 Avenue Diversion. Attached hereto as Exhibit "B" is a true copy of the Order to Remedy Conditions.
- b. On or about June 6, 2014, Captain, Doug Berg ("**Captain Berg**"), attended the Property and observed that all the doors and windows were boarded up except for a front window, which was intact, but not boarded.
- c. On or about July 16, August 25, October 4, November 20, and December 17, 2014, Captain Lloyd Lees, Captain, Bruce Morrison, each attended the Property on separate dates and observed that the boarding of the Structure was satisfactory.
- d. On or about January 15, 2015, Captain, Kevin Beenham ("**Captain Beenham**"), attended the Property and observed that the crawlspace access to the Structure was open. A basement window on the north side of the Structure was open and not boarded up. A living room window was not boarded up. There were signs of recent burning in the fire place and the gas meter was attached and turned off. However, it was not locked meaning it could be easily turned on again.

- e. On or about February 17, 2015, Captain Beenham attended the Property and observed no change from his previous attendance on January 15, 2015.
- f. On or about March 17, 2015, Deputy Fire Chief, Karen Fry ("**Chief Fry**"), arranged for the Structure to be boarded up by the City's contractor. Attached hereto as Exhibit "C" is a true copy of the note for March 17, 2015. I am informed by Chief Fry that she made these notes.
- g. On or about March 20, April 13, May 15, June 8, and September 4, 2015, Captain Beenham; Firefighter, David Baird; Battalion Chief, Richard Ellis; and Captain, Andrew George, each attended the Property on separate dates and observed that the boarding of the Structure was satisfactory.

7. Abandoned properties pose an attraction to squatters, thieves, vagrants, or other individuals, who may access the Structure for shelter or other reasons. The Structure remains abandoned and has a history of being unsecured, which suggests that people have been gaining access to the Structure. Captain Beenham also observed evidence of a recent fire in the fireplace during his inspections of the Structure on January 15 and February 17, 2015. Based on my review of the Surrey Fire Service's file and my experience with other abandoned structures, I am concerned that the Structure poses the risk of an improperly set fire by any of the aforementioned groups.

8. On or about September 3, 2015, I attended the Property and took photographs of the Structure, true copies of which are attached hereto as Exhibit "D". A description of the photographs is as follows:

- a. Photograph #1 is of a missing structural support at the southeast corner of the carport. There is a square imprint on the bottom of the cross beam where it appears the support was once located. The missing structural support could increase the risk of the carport collapsing, particularly in a fire;


- b. Photograph #2 is of the location of the missing structural support taken from a farther distance;
- c. Photograph #3 is of a hole in the ceiling of the carport, illustrating the deteriorated condition of the carport, which may result in an increased risk of collapse, especially in a fire.
- d. Photograph #4 is of the wall and ceiling of the house facing the carport. There are large gaps in the wall and a lack of fire separation. Consequently, a fire started in the carport can easily spread to the interior of the house.

9. Based on my experience and observations at the Structure, a fire could easily travel rapidly throughout the Structure given the deteriorated condition of the Structure and lack of fire separations. The general decay of the Structure and missing structural support in the carport present a risk of collapse and may pose serious safety hazards for the general public and any responding fire crews, particularly in the event of a fire.

10. I am also concerned that a fire at the Structure could spread to the neighbouring building to the north. The Property is generally covered in overgrown vegetation, particularly on the north side of the Property. The neighbouring building to the north is relatively close to the Structure and the overgrown vegetation. Since no one, apart from possibly squatters, resides inside abandoned buildings, fires at such locations are usually not detected until the fire at the building is fully involved. The close proximity of the neighbouring building combined with the overgrown vegetation means that a fire could spread to the building to the north.

11. I make this affidavit in support of a remedial action requirement to demolish the Structure.

AFFIRMED BEFORE ME at the City)
of Surrey, the Province of)
British Columbia this 11th day of)
September, 2015.)
Charleen Symons)
A Commissioner for taking Affi-)
davits for British Columbia)



Stephen Ewart Robinson

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CHARLEEN SYMONS
13450 - 104th Avenue
Surrey, B.C. V3T 1V8
A Commissioner for Oaths
within British Columbia
Expiry Date: May 31, 2018

Property Inspections

Building Name VACANT/ABANDONED
Building Phone
2809 152 ST SURREY

Total Inspections 15

Inspection Class OTRC - Order to Remedy Cc
Due Date 08/17/2015
Inspected Date
Status
Inspector [N

Inspection Details 1

019 Boarding of building Satisfactory

[N Exhibit "A" referred to in the Affidavit of Stephen Ewart Robinson affirmed before me at Surrey in the Province of British Columbia this 11 day of September 2015. *Richard Syme*
A Commissioner for taking Affidavits for British Columbia

Inspection Class OTRC - Order to Remedy Cc
Due Date 07/18/2015
Inspected Date 09/04/2015
Status
Inspector Andrew George

Inspection Details 1

019 Boarding of building Satisfactory

Inspection Class OTRC - Order to Remedy Cc
Due Date 06/08/2015
Inspected Date 06/08/2015
Status
Inspector Kevin Beenham

Inspection Details 1

019 Boarding of building Satisfactory

Inspection Class OTRC - Order to Remedy Cc
Due Date 05/19/2015
Inspected Date 05/15/2015
Status
Inspector Richard Ellis

Inspection Details 1

019 Boarding of building Satisfactory

Inspection Class OTRC - Order to Remedy Cc
Due Date 04/19/2015
Inspected Date 04/13/2015
Status
Inspector David Baird

Inspection Details 1

019 Boarding of building Satisfactory

Property Inspections

Building Name VACANT/ABANDONED
Building Phone
2809 152 ST SURREY

Inspection Class	Due Date	Inspected Date	Status	Inspector
OTRC - Order to Remedy Cc	03/20/2015	03/20/2015		Kevin Beenham

Inspection Details 1

019 Boarding of building Satisfactory

Inspection Class	Due Date	Inspected Date	Status	Inspector
OTRC - Order to Remedy Cc	02/18/2015	02/17/2015		Kevin Beenham

Inspection Details 1

019 Boarding of building Unsatisfactory
Crawlspace access open
Basement window on north side slid open and not boarded
Signs of recent burning in the fire place
Living room window not boarded
Gas meter still attached but turned off (not Locked)

Inspection Class	Due Date	Inspected Date	Status	Inspector
OTRC - Order to Remedy Cc	01/19/2015	01/15/2015		Kevin Beenham

Inspection Details 1

019 Boarding of building Unsatisfactory
Crawlspace access open
Basement window on north side slid open and not boarded
Signs of recent burning in the fire place
Living room window not boarded
Gas meter still attached but turned off (not Locked)

Inspection Class	Due Date	Inspected Date	Status	Inspector
OTRC - Order to Remedy Cc	12/20/2014	12/17/2014		Lloyd Lees

Inspection Details 2

019 Boarding of building Satisfactory
955 Abandoned/Vacant Boarded Homes Satisfactory

Inspection Class	Due Date	Inspected Date	Status	Inspector
OTRC - Order to Remedy Cc	11/20/2014	11/20/2014		Lloyd Lees

09/08/2015

Property Inspections

Building Name VACANT/ABANDONED
Building Phone
2809 152 ST SURREY

Inspection Details 2

019 Boarding of building Satisfactory
955 Abandoned/Vacant Boarded Homes Satisfactory

Inspection Class **Due Date** **Inspected Date** **Status** **Inspector**
OTRC - Order to Remedy Cc 10/04/2014 10/04/2014 Lloyd Lees

Inspection Details 2

019 Boarding of building Satisfactory
955 Abandoned/Vacant Boarded Homes Satisfactory

Inspection Class **Due Date** **Inspected Date** **Status** **Inspector**
OTRC - Order to Remedy Cc 08/25/2014 08/25/2014 Bruce Morrison

Inspection Details 2

019 Boarding of building Satisfactory OK, Aug. 25, 2014
955 Abandoned/Vacant Boarded Homes Satisfactory OK, Aug. 25, 2014

Inspection Class **Due Date** **Inspected Date** **Status** **Inspector**
OTRC - Order to Remedy Cc 07/11/2014 07/16/2014 Lloyd Lees

Inspection Details 2

019 Boarding of building Satisfactory
955 Abandoned/Vacant Boarded Homes Satisfactory

Inspection Class **Due Date** **Inspected Date** **Status** **Inspector**
OTRC - Order to Remedy Cc 06/06/2014 06/06/2014 Doug Berg

Inspection Details 2

019 Boarding of building Satisfactory House doors and windows are boarded up except for front
09/08/2015

Property Inspections

Building Name VACANT/ABANDONED
Building Phone
2809 152 ST SURREY

955 Abandoned/Vacant Boarded Homes Satisfactory window, which is intact but not boarded.

Inspection Class	Due Date	Inspected Date	Status	Inspector
OTRC - Order to Remedy Cc	05/12/2014	05/13/2014		Lloyd Lees

Inspection Details 2

019 Boarding of building Satisfactory
955 Abandoned/Vacant Boarded Homes Satisfactory



SURREY FIRE SERVICE ORDER TO REMEDY CONDITIONS

(The City of Surrey under the Fire Services Act, being
Chapter 144, RSBC 1996 and the Regulations Thereto.)
Fire Prevention: 543-6780 Fax: 594-1237
8767 132 Street, Surrey, B.C. V3W 4P1

DATE OF ISSUE: May 12, 2014

ADDRESS 2809 152 Street, Surrey BC

UNIT: N/A

BUSINESS NAME: 384451 BC LTD.

OWNER: 384451 BC LTD, 14948 32 Avenue Diversion, Surrey, BC V4P 3R5

An inspection of the property has revealed the safety deficiencies listed below and require corrective action:

PURSUANT TO SURREY FIRE SERVICE BY-LAW NO. 10771

29. Order to Remedy Conditions

- (a) the owner or occupier destroy or repair premises,
- (b) the owner or occupier alter the use or occupancy of the premises,
- (c) premises be secured and maintained secure by the owner or occupier,
- (d) the owner or occupier remove or take precautions against a fire hazard,

This is Exhibit "B" referred to in the Affidavit of Stephen Ewart Robinson affirmed before me at Surrey in the Province of British Columbia this 11th day of September, 2014.

 A Commissioner for Taking Affidavits for British Columbia

Details:
 Owner shall maintain the building's security against illegal entry as per By-Law #10771. Owner shall be responsible for all costs occurred if the Surrey Fire Service renders service as per By-Law #10771 section 26 sentence (e).

 Failure to maintain the property secured, will result in a contractor providing the service and the owner will be invoiced for the services rendered. Effective immediately, the property owners shall be liable to the City for all costs and expenses incurred in attending and combating an incident.

COMPLIANCE DATE May 12, 2014

ISSUING OFFICER CFPO M Starchuk

The city may carry out the provisions of this order without notice upon the expiry of the compliance date and the owner shall be liable to the City for all costs and expenses incurred.

Where the Fire Chief or a member attends an incident caused or contributed to by a condition that was the subject of this order and the owner or occupier had not carried out every requirement of the order at the time of the incident, the property owners shall be liable to the City for all costs and expenses incurred in attending and combating the incident.

Building Name: VACANT/ABANDONED

BCBC Class: - [None selected]

Address: - 2809 152 ST

Occupancy Use: [None selected]

Building Phone:

Complainant Notified

Fire Damage

Fire Damage Note

Fire Notified

General Comments March 17, 2015 - crews reporting that there are openings (Jan/Feb inspection events) - contacted First on Site to secure as no contact numbers on file.

Owner Legal Action

Previous Bylaw Infractions

Previous ByLaw Note

RCMP Notified

Reporting Officer

Reporting Agency Contact Number

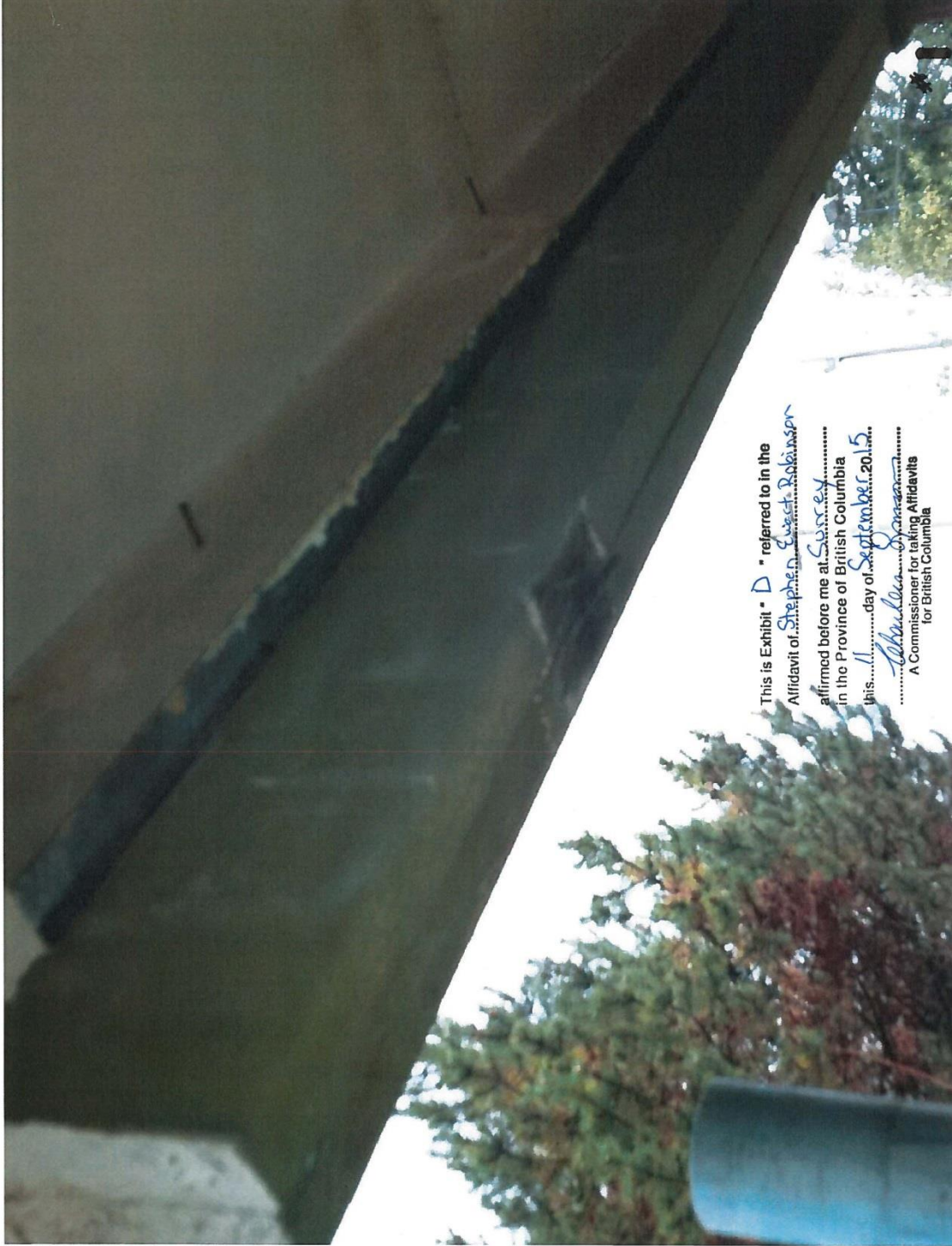
Reporting Agency

Owner Invoiced

Invoiced Date

Date of Inspection: _____

Inspector's Name: _____









APPENDIX "V"

Photograph of the front of the Structure



Photograph taken August 13, 2015

Photograph of the front of the Structure



Photograph taken August 13, 2015

Photograph of the front of the Structure



Photograph taken August 13, 2015

Photograph of the carport at the side of the Structure



Photograph taken August 13, 2015

Photograph of the rear of the Structure



Photograph taken August 13, 2015

Photograph of the rear of the Structure



Photograph taken August 13, 2015

Photograph of the rear of the Structure



Photograph taken August 13, 2015

Photograph of the rear of the Structure



Photograph taken August 13, 2015

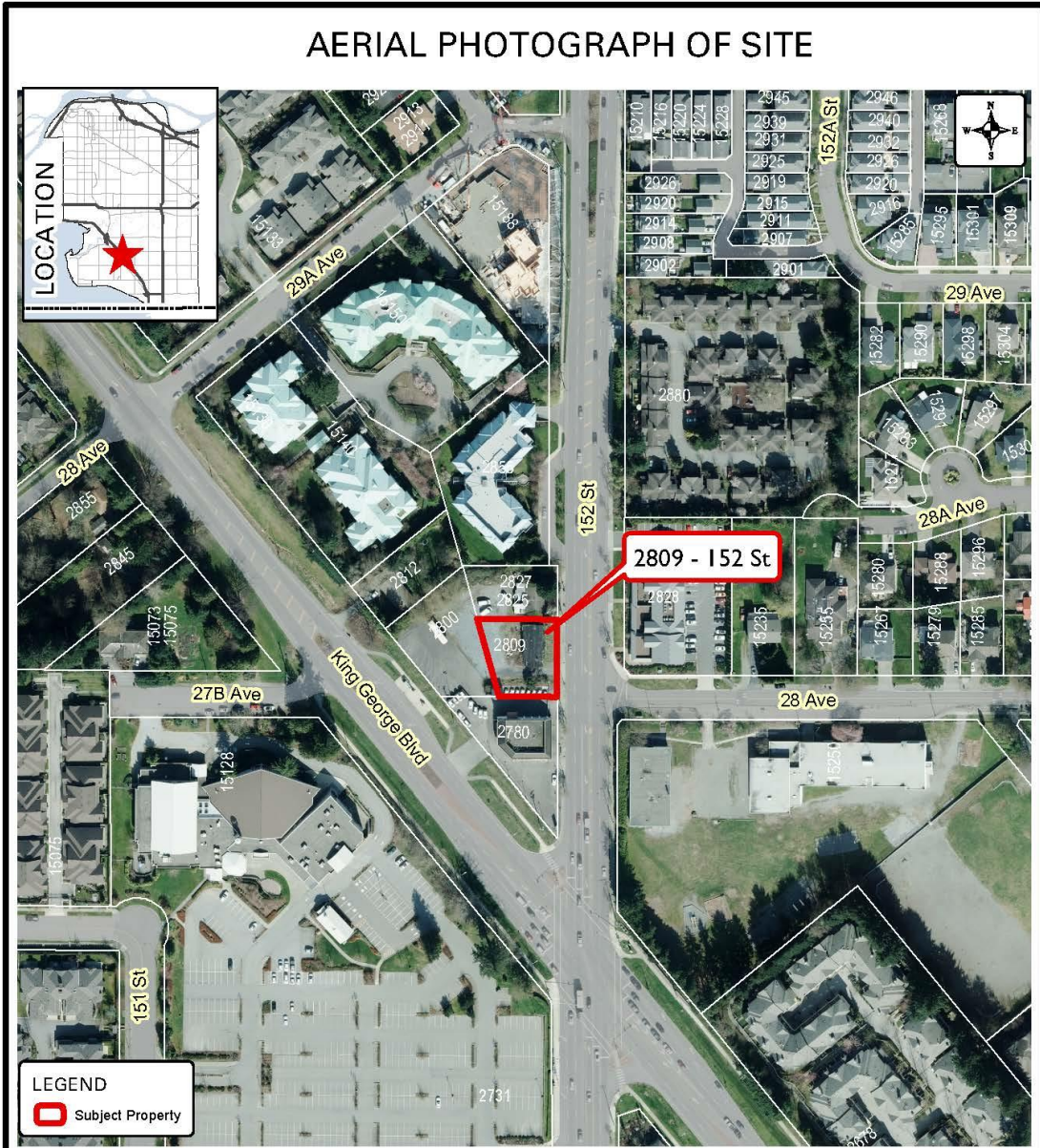
Photograph of the shopping carts at the rear of the Structure



Photograph taken August 13, 2015

APPENDIX "VI"

AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: 30-Jun-2015, JJR

Date of Aerial Photography: April 1st, 2014



SUBJECT PROPERTY
2809 - 152 STREET

ENGINEERING
DEPARTMENT

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only.

Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

Source: \\file-server2\eng\ENGFILES\IMAPPING\GIS\Maps\CorporateReps\Legal\Serv\JJR_2809_152St_AP.mxd

APPENDIX "VII"

NOTICE

TO: 384451 B.C. Ltd.
(Incorporation No. 384451)
#6 – 3050 King George Boulevard
Surrey, B.C.
V4P 1A2

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: 004-414-136
Lot 29, Except Parcel "N" Bylaw Plan 62658, Section 22, Township 1
New Westminster District Plan 52918

(the "Property")

YOU ARE NOTIFIED that on September 28, 2015, 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 owner of the Property with a civic address of 2809 - 152 Street demolish and remove from the Property the house and attached carport that are 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-laws & 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 September, 2015.

CITY CLERK

APPENDIX "VIII"

DESCRIPTION OF THE PROPERTY

Legal Description of the Property:

PID: 004-414-136
Lot 29, Except Parcel "N" Bylaw Plan 62658, Section 22, Township 1
New Westminster District Plan 52918

Civic Address of the Property:

2809 - 152 Street, Surrey, B.C.

Registered Owner of the Property:

384451 B.C. Ltd.
(Incorporation No. 384451)

Registered Charge Holders:

None