



**CITY OF VANCOUVER**  
**BUSINESS LICENSE HEARING MINUTES**  
**FEBRUARY 7, 2007**

A Business License Hearing of the Council of the City of Vancouver was held on Wednesday, February 7, 2007, at 9:30 a.m., and reconvened on Thursday, February 15, 2007, at 7:00 p.m. in the Council Chamber, Third Floor, City Hall, to determine whether or not the 2007 City of Vancouver business license granted to Wah Wong and Kathleen Yang (the "licensee") doing business as a One Family Dwelling, for business premises located at 3115 East Georgia Street, Vancouver, British Columbia (the "Premises") should be suspended or revoked. The Minutes are consolidated for ease of reference.

**PRESENT:** Councillor Heather Deal, Chair  
Councillor Suzanne Anton  
Councillor George Chow

**CITY CLERK'S OFFICE:** Tina Hildebrandt, Meeting Coordinator (*February 7, 2007*)  
Nicole Ludwig, Meeting Coordinator (*February 15, 2007*)

1. **Wah Wong and Kathleen Yang dba a One Family Dwelling**  
3115 East Georgia Street, Vancouver, BC (VanRIMS No. 08-2000-40)

The Business License Hearing Panel had before it for consideration an Evidence Brief, prepared by the City of Vancouver's Legal Department, which contained the following material (*on file in the City Clerk's Office*) and the evidence of witnesses:

**Notice of Hearing**

**Tab**

- 1 **Land Title Information and Business Licenses**

Assessment Roll for 3115 E Georgia dated January 19, 2007  
Title Search for 3115 E Georgia dated January 19, 2007  
Assessment Roll for 4570 Windsor dated January 19, 2007  
Title Search for 4570 Windsor dated January 19, 2007  
Assessment Roll for 3489 Napier dated January 19, 2007  
Title Search for 3489 Napier dated January 19, 2007  
1997 Business License #97-047632 dated January 19, 1997  
1998 Business License #98-191326 dated March 11, 1998  
1999 Business License #99-263800 dated January 19, 1999  
2000 Business License #00-120501 dated January 19, 2000  
2001 Business License #01-118412 dated May 25, 2001  
2002 Business License #02-134677 dated January 4, 2002  
2003 Business License #03-360060 dated January 19, 2003

1 **Land Title Information and Business Licenses - con't**

2004 Business License #04-543429 dated January 19, 2004  
2005 Business License #05-104780 dated January 13, 2005  
2006 Business License #06-114486 dated December 21, 2005  
2007 Business License #07-134753 dated December 5, 2006

2 **Licenses and Inspections**

Memo to DPUI dated July 16, 1991  
Inspection Report #IR 218045 dated July 24, 1991  
Letter to Wan Chan from R.V. Hebert dated August 7, 1991  
Stop Work Notice dated August 22, 1991  
Inspection Report #IR 220864 dated August 23, 1991  
Inspection Report #IR 219079 dated August 24, 1991  
Inspection Report #IR 220878 dated August 26, 1991  
Letter to Wan Chan from R.V. Hebert dated August 26, 1991  
Memo to DBI dated September 19, 1991  
Inspection Report #IR 220957 dated August 28, 1991  
Inspection Report #IR 220267 dated August 29, 1991  
Letter to Wah Wong and Kathleen Yang from R.V. Hebert dated Sept. 10, 1991  
Complaint Form dated September 11, 1991  
Inspection Report #IR 199387 dated September 11, 1991  
Inspection Report #IR 201118 dated September 12, 1991  
Inspection Report #IR 206396 dated September 13, 1991  
Letter to Wah Wong and Kathleen Yang from R.V. Hebert dated Sept. 13, 1991  
Inspection Report #IR 189466 dated September 17, 1991  
Special Inspection Application dated September 24, 1991  
Memo to Data Resource from Barb Windsor dated September 26, 1991  
Report to Prosecutor dated October 7, 1991  
Inspection Report #IR 222775 dated October 25, 1991  
Special Inspection Application #IA 205504 dated November 4, 1991  
Inspection Report #IR 222061 dated November 12, 1991  
Inspection Report #IR 222334 dated November 12, 1991  
Inspection Report #IR 222335 dated November 12, 1991  
Inspection Report #IR 230347 dated November 12, 1991  
Development Permit Application #DA 213545 dated November 15, 1991  
Application Information Sheet dated November 15, 1991  
Letter to Wah Wong and Kathleen Yang from P. Teichroeb dated Nov. 26, 1991  
Letter to Wah Wong and Kathleen Yang from D.H. Jackson dated Dec 3, 1991  
Inspection Report #IR 222131 dated December 4, 1991  
Complaint Form dated December 5, 1991  
Inspection Report #227781 dated December 18, 1991  
Development Permit Refusal dated December 19, 1991  
Prosecution Information dated January 9, 1992  
Electrical Permit #EP 254584 dated January 10, 1992  
Application Information Sheet dated January 20, 1992

2     Licenses and Inspections - con't

Memo to Dave Mills from Barb Windsor dated February 20, 1992  
Fire Inspections dated April 28, 1987 to February 22, 1992  
Inspection Report #IR 235000 dated July 14, 1992  
Stop Work Notice dated July 14, 1992  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated July 21, 1992  
Inspection Report #IR 236421 dated July 21, 1992  
Complaint Form dated August 4, 1992  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated Sept. 1, 1992  
Application Information Sheet dated September 3, 1992  
Development Permit Application #DA 214633 dated September 3, 1992  
Memo to DPUI from Josie Hall dated September 24, 1992  
Development Permit Refusal #DR 214633 dated September 28, 1992  
Application Information Sheet dated October 5, 1992  
Development Permit Application #DA 214721 dated October 5, 1992  
Inspection Report #IR 246457 dated October 8, 1992  
Memo to Diary Clerk from Barb Windsor dated October 14, 1992  
Development Permit #DP 214721 dated October 21, 1992  
Memo to Carlene Robbins from Barb Windsor dated January 3, 1993  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated January 13, 1993  
Inspection Report #IR 250604 dated January 18, 1993  
Building Permit #BP 820587 dated January 20, 1993  
Inspection Report #IR 248748 dated August 13, 1993  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated August 19, 1993  
Inspection Report #IR 266116 dated August 25, 1993  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated August 30, 1993  
Copy of Registered Envelope  
Inspection Report #IR 186936 dated October 5, 1993  
Gas Fitting Permit #GP 251376 dated December 7, 1993  
Form Letter re: #GP 251376 dated December 7, 1993  
Memo to Data Resource from Barb Windsor dated January 4, 1994  
Inspection Report #IR 271746 dated March 8, 1994  
Inspection Report #IR 233622 dated May 24, 1994  
Prosecution Information dated June 28, 1994  
Memo to File Room from Barb Windsor dated August 19, 1994  
By-law Notice #W 31975 dated August 29, 1995  
Inspection Report #IR 308685 dated December 14, 1995  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated January 3, 1996  
Inspection Report #IR 308694 dated January 5, 1996  
Complaint Form dated January 12, 1996  
Inspection Report #IR 311617 dated January 16, 1996  
Inspection Report #IR 503387 dated January 16, 1996  
Gas Fitting Permit #GA 402805 dated January 22, 1996  
Inspection Report #IR 311619 dated January 26, 1996  
Letter to Wah Wong and Kathleen Yang from J.A. Perri dated February 1, 1996  
Memo to File from Barb Windsor dated February 5, 1996  
Inspection Report #IR 317026 dated June 20, 1996

2 Licenses and Inspections - con't

Inspection Report #IR 320963 dated July 5, 1996  
By-law Notice #W 26579 dated July 11, 1996  
Inspection Report #IR 320971 dated July 15, 1996  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated July 16, 1996  
Inspection Report #IR 233642 dated August 16, 1996  
Inspection Report #IR 318230 dated August 20, 1996  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated August 22, 1996  
Letter to Wah Wong and Kathleen Yang from J.A. Perri dated August 23, 1996  
Inspection Report #IR 318244 dated August 26, 1996  
Stop Work Notice dated August 30, 1996  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated September 5, 1996  
Inspection Report #IR 323682 dated September 10, 1996  
Inspection Report #IR 323690 dated September 24, 1996  
Inspection Report #IR 323691 dated September 27, 1996  
Letter to Wah Wong and Kathleen Yang from R.L. Maki dated October 11, 1996  
Inspection Report #IR 323652 dated October 17, 1996  
Inspection Report #IR 323700 dated November 12, 1996  
Inspection Report #IR 327571 dated March 14, 1997  
Letter to City of Vancouver dated April 7, 1997  
Inspection Report #IR 310831 dated February 5, 1998  
Inspection Report #IR 509019 dated February 26 and March 2, 1998  
Letter to Wah Wong and Kathleen Yang from P.R. Sweeney dated March 10, 1998  
Letter to Wah Wong and Kathleen Yang from M. Twynstra dated March 13, 1998  
Inspection Report #IR 343470 dated April 23, 1998  
Court Information #22561 dated June 3, 1998  
Adjournment Minute Sheet dated July 15, 1998  
Adjournment Minute Sheet dated September 2, 1998  
Adjournment Minute Sheet dated October 15, 1998  
Adjournment Minute Sheet dated December 22, 1998  
Adjournment Minute Sheet dated February 4, 1999  
Adjournment Minute Sheet dated June 10, 1999  
Record of Proceeding dated August 17, 1999 to January 10, 2001  
Conviction - Imposition of Fine dated January 10, 2001  
Prosecution Information dated January 11, 2001  
Letter to Kathleen Wong, Kathleen Yang and Wah Wong from Barb Windsor dated February 16, 2001  
Property Use Inspection Report #UI 13047 dated January 12, 2001  
Letter to Wah Wong and Kathleen Yang from D.H. Jackson dated Jan. 16, 2001  
Letter to Kathleen Wong from Carlene Robbins dated January 15, 2002  
Handwritten Notes dated January 25, 2002  
Complaint Form dated July 20, 2004  
E-mail to Domino from Erv Hildebrandt dated July 21, 2004  
Complaint Form dated August 18, 2004  
Inspection Report #IR 376376 dated August 19, 2004  
Letter to Wah Wong and Kathleen Yang from D.H. Jackson dated Aug. 26, 2004  
Building Inspection Report #BI 23435 dated August 26, 2004

**2      Licenses and Inspections - con't**

Photos

Complaint Form dated September 16, 2004

Property Use Inspection Report #UI 27496 dated September 1, 2005

Photos

Memo to File from Pattie Hayes dated September 15, 2005

Document Notes dated September 15, 2005

Provincial Court Information dated November 15, 2005

Complaint Form dated September 26, 2006

Property Use Inspection Report #UI 30644 dated October 6, 2006

Letter to Kathleen Yang and Wah Wong from D.H. Jackson dated Oct. 12, 2006

Property Use Inspection Report #UI 30847 dated October 27, 2006

Photos

Letter to Kathleen Yang and Wah Wong from R. Modicamore dated Nov. 3, 2006

Property Tax Inquiry

Document Notes dated November 3, 2006

Letter to Kathleen Yang and Wah Wong from P. Teichroeb dated Nov. 23, 2006

Letter to City of Vancouver from Wah Wong dated December 20, 2006

Letter to M. Twynstra dated December 21, 2006

Letter to Wah Wong and Kathleen Yang from P. Teichroeb dated January 3, 2007

Letter to Wah Wong and Kathleen Yang from B. Windsor dated January 3, 2007

Handwritten Notes dated January 11, 2007

Letter to Wah Wong and Kathleen Yang from Paul Teichroeb dated Jan. 12, 2007

**3      Police Department**

Memo to Barb Windsor from Jodyne Keller dated November 2, 2006

Memo to Barb Windsor from Jodyne Keller dated December 13, 2006

Memo to Catherine Kinahan from Jodyne Keller dated January 22, 2007

Report #70073-2006 dated April 4, 2006

Report #2006-123738 dated June 14, 2006

Report #137182-2006 dated June 30, 2006

Report #177065-2006 dated August 18, 2006

Report #189374-2006 dated September 2, 2006

Report #2006-228638 dated October 24, 2006

Report #2006-229810 dated October 25, 2006

Community Alert dated November 10, 2006

Report #2006-6554 dated November 11, 2006

Report #246587-2006 dated November 17, 2006

Report #250067-2006 dated November 22, 2006

Report #2006-6776 dated November 25, 2006

Report #261634-2006 dated December 9, 2006

Report #2006-262785 dated December 10, 2006

Report #262806-2006 dated December 10, 2006

Report #262815-2006 dated December 10, 2006

Report #2006-269958 dated December 20, 2006

Report #2006-7268 dated December 29, 2006

3 Police Department -con't

Report #4222-2007 dated January 7, 2007  
Report #2007-6970 dated January 11, 2007  
Report #2007-297 dated January 15, 2007  
Report #2007-13248 dated January 20, 2007  
Known Residents dated January 23, 2007  
Report #2007-15925 dated January 24, 2007  
Memo to Jodyne Keller from Planning & Research dated January 24, 2007

Catherine Kinahan, Counsel, was present on behalf of the City of Vancouver. Wah Wong and Kathleen Yang (the "licensee") were present and aided by certified Cantonese Interpreters: Ms. Susan Yao (*February 7, 2007*) and Mr. Miguel Tu (*February 15, 2007*).

Ms. Kinahan advised that this matter had been referred to City Council by the Chief License Inspector of the City of Vancouver who has recommended that the license be suspended or revoked pursuant to Section 278 of the *Vancouver Charter*. She also advised that the issue is management and whether or not the licensees have properly managed the business in the past, whether they are likely to properly manage it in the future and, in considering this, whether or not they have complied with municipal, provincial and federal laws applicable to the business.

Ms. Kinahan referred the Panel to evidence before it as set out in police reports, reports of Property Use Inspectors, documents which were considered by the Deputy Chief License Inspector in referring the business license to Council, a letter from the Deputy Chief License Inspector and the evidence of witnesses, which set out the allegations that:

- (a) using and occupying or permitting the use and occupancy of the Premises as a two family dwelling and a rooming house, in contravention of the provisions of the Zoning and Development By-law and Development Permit 214721;
- (b) carrying on the business of a two family dwelling and a rooming house without a business licence, in contravention of the License By-law;
- (c) carrying out alterations to the Premises without permit, in contravention of the Building By-law and Zoning and Development By-law;
- (d) operating the Premises to the detriment of the safety and public order of the neighbourhood; and
- (e) causing a drain on police and City resources.

Ms. Kinahan also referred the Panel to the following additional documents submitted as evidence at this hearing (*on file in the City Clerks Office*):

- Letter to the Deputy Chief License Inspector from Shawna Faber and Berni James, dated January 29, 2007;
- Letter to whom it may concern from David Radmore, dated February 2, 2007;

- Email to Mayor and Council from Michael Dutton, dated November 15, 2006;
- Drawing of floor plan for 3115 East Georgia Street from a Property Use Inspector;
- Memorandum to Catherine Kinahan from Jodyne Keller dated February 5, 2007;
- Report #2007-19000 dated January 29, 2007;
- Report #2007-18841 dated January 30, 2007;
- Report #2007-18999 dated January 30, 2007;
- Order to Wah S. Wong and Kathleen Yang from W.M. Johnston and D. Pope, dated February 2, 2007,;
- Petition dated February 5, 2007;
- MLS listing V627529 for 3115 East Georgia Street; and
- Letter to Royal Pacific Realty and Sutton Group from W.M. Johnston, dated February 5, 2007.

In support of the allegations set out in the above-noted reports and evidence, Ms. Kinahan called the following witnesses:

1. Shawna Faber
2. Emil Yudovich
3. Marius Schwartz
4. Michael Dutton
5. Rino Modicamore
6. Constable 1760 Jodyne Keller
7. Constable 1566 Michael Linde
8. Constable 2179 Michael Wheeler
9. Constable 2487 Gibbons
10. Ian McHattie
11. Barb Windsor

Mr. Wong also directed questions to the witnesses.

MOVED by Councillor Anton

THAT the Business License Hearing of February 7, 2007, concerning Wah Wong and Kathleen Yang (the "licensee") doing business as a One Family Dwelling, for business premises located at 3115 East Georgia Street, Vancouver, British Columbia (the "Premises") adjourn until February 15, 2007, at 7:00 p.m. in the Council Chamber.

CARRIED UNANIMOUSLY

\* \* \* \* \*

*The Business License Hearing recessed at 12:40 p.m. on February 7, 2007, and reconvened at 7:00 p.m. on February 15, 2007, with the same members present.*

\* \* \* \* \*

Mr. Wong, with the aid of an interpreter, noted when he first rented out the property, there were only three people, he was not aware they were doing anything illegal and removed them from the property when he was informed of illegal activity by neighbours.

Mr. Wong and Ms. Yang also responded to questions from Ms. Kinahan.

In closing, Ms. Kinahan noted the City has been asking Mr. Wong and Ms. Yang to comply for 16 years and that there was ample evidence to support the revocation of a business license in the circumstances..

Mr. Wong noted the house is now being rented to one family and he will not make the same errors again.

#### PANEL MEMBERS DISCUSSION

The Chair asked if there were any comments from the panel and there were none.

MOVED by Councillor Anton

THAT the 2007 City of Vancouver business license granted to Wah Wong and Kathleen Yang (the "licensee") doing business as a One Family Dwelling, for business premises located at 3115 East Georgia Street, Vancouver, British Columbia (the "Premises") be revoked because the licensee was:

- (a) using and occupying or permitting the use and occupancy of the Premises as a two family dwelling and a rooming house, in contravention of the provisions of the *Zoning and Development By-law* and Development Permit 214721;
- (b) carrying on the business of a two family dwelling and a rooming house without a business licence, in contravention of the *License By-law*;
- (c) carrying out alterations to the Premises without permit, in contravention of the *Building By-law* and *Zoning and Development By-law*;
- (d) operating the Premises to the detriment of the safety and public order of the neighbourhood; and
- (e) causing a drain on police and City resources.

CARRIED UNANIMOUSLY

The Business License Hearing Panel recessed at 12:40 p.m. on February 7,  
and adjourned at 7:22 p.m. on February 15, 2007

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