



**SPECIAL COUNCIL MEETING MINUTES
(BUSINESS LICENCE HEARING)**

APRIL 20, 2022

A Special Meeting of the Council of the City of Vancouver was held on Wednesday, April 20, 2022, at 6:03 pm, in the Council Chamber, Third Floor, City Hall, for the purpose of convening a Business Licence Hearing to determine whether a 2022 business licence should be issued to Victoria Raskin (the “Applicant”), for a short-term rental accommodation at 3516 East Pender Street (the “Premises”). This Special Council meeting was convened by electronic means as authorized by Part 14 of the *Procedure By-law* and the *Vancouver Charter*.

PRESENT: Councillor Sarah Kirby-Yung, Chair
Councillor Christine Boyle
Councillor Jean Swanson

CITY CLERK’S OFFICE: Kirsty Colquhoun, Meeting Coordinator
Tina Hildebrandt, Meeting Coordinator

WELCOME

The Chair acknowledged we are on the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh People. We thank them for having cared for this land and look forward to working with them in partnership as we continue to build this great city together.

**1. Business Licence Application 21-286006 (Short Term Rental)
3516 E Pender Street**

The Business Licence 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:

INDEX

Tab	Description	Date	Page
1	Notice of Hearing	1 Apr 2022	1
2	3516 E Pender St Timeline		3

Prior Enforcement

Tab	Description	Date	Page
3	Email exchange between City and Applicant re cancelling 2020 Business Licence for 3516 E Pender	11 Feb 2020 – 12 Mar 2020	7
4	Notices of By-law Violation PE32984 and PE32985 for allowing or permitting unlicensed short term rental of premises	25 Aug 2021	9

5	Order to cease permitting unauthorized use of premises for STR	25 Aug 2021	10
6	Screenshots of Airbnb listing	25 Aug 2021	12
7	Email from Applicant requesting renewal of Business Licence	11 Feb 2020 to 8 Sep 2021	16
8	Email to Applicant re attendance of Property Use Inspector for inspection	10 Sep 2021	21
9	Email chain regarding dispute and withdrawal of By-Law Notices and Notice of Dispute	2 Sep 2021 to 16 Sep 2021	22

Application for Business Licence

Tab	Description	Date	Page
10	Property Use Inspector's Findings on inspection of property	12 Nov 2021	26
11	Photos taken at property by Property Use Inspector	12 Nov 2021	27
12	Licence Application Review Notification	18 Nov 2021	38
13	Operational Summary	14 Dec 2021	41
14	Notice of Licence Non-Support	21 Dec 2021	46
15	Email chain between City and Applicant re Appeal	11 Jan 2022	48
16	Host Compliance - 7032078 - 3518 E Pender St	17 Mar 2022	50
17	Host Compliance -22765822 - 3516 E Pender St	17 Mar 2022	53
18	Host Compliance - 7034128 - 3516 E Pender St - Michael and Alina	17 Mar 2022	55

Audit documents

Tab	Description	Date	Page
19	BC Drivers Licence (valid 2016-2020)	Issued 27 Apr 2016	57
20	GST and BC climate action tax credit notice	2019	58
21	BC Drivers Licence (valid 2021-2025)	Issued 2 Jan 2021	59
22	Notice of Assessment	13 May 2021	60
23	Screenshot of text from Airbnb Community Support re property not being listed from Jan to Nov 2021	29 Nov 2021	61

Applicable By-law(s)

Tab	Description	Date
24	Licence By-Law No. 4450, section 25.1	62

Robert LeBlanc, City Prosecutor, Legal Services, was present on behalf of the City of Vancouver. Victoria Raskin, the Applicant, was present on their own behalf.

Mr. LeBlanc provided opening remarks, reviewed relevant legislation as set out in section 275 of the *Vancouver Charter*, and sections 2, 4(4) and 25.1 of *Licence By-law No. 4450*, and asked the panel to consider whether to grant or refuse the Short Term Rental business license application of Applicant Victoria Raskin.

In support of the allegations set out in the evidence brief, Mr. LeBlanc called Koji Miyaji, Assistant Director, Community Standards, Development, Buildings and Licencing, as a witness.

Mr. LeBlanc, along with Panel members, directed questions to Mr. Miyaji who, for clarity, provided reasons why the Applicant does not meet the qualifications as a Short Term Rental Accommodation Operator.

The Applicant also directed a question to Mr. Miyaji.

Victoria Raskin, the Applicant, provided opening remarks and responded to the allegations submitted by the witness. The Applicant also acknowledged an error in forgetting to renew the 2021 business licence.

The Applicant responded to questions from the Panel and Mr. LeBlanc.

Mr. LeBlanc provided closing submissions based on the evidence and reviewed the reasons for the business licence suspension.

The Applicant provided closing comments.

PANEL MEMBERS DISCUSSION

MOVED by Councillor Swanson
SECONDED by Councillor Boyle

THAT the Business Licence Hearing Panel refuse to issue a 2022 Business Licence to Victoria Raskin (the "Applicant"), for a short-term rental accommodation at 3516 East Pender Street, Vancouver, BC (the "Premises).

CARRIED UNANIMOUSLY (Vote no. 08291)

ADJOURNMENT

MOVED by Councillor Swanson
SECONDED by Councillor Boyle

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Business Licence Hearing Panel adjourned at 7:31 pm.