

# Richmond landlord sues low-income leaseholders in apartment building for repairs

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From left: Yuna Yu, Rosalie Ann Paul, Michelle Stewart, and back row, Ricardo Da Luz Hoi and Da Luz Hoi's tenant at 6420 Buswell St. in Richmond. FRANCIS GEORGIAN / PNG

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A landlord is suing almost two dozen leaseholders in an older apartment building in Richmond because they haven't paid part of the charges for improvements to the outside of the building, costing between \$40,000 and \$50,000 a unit.

Westpark Investments Inc. filed a civil claim in the B.C. Supreme Court naming 23 defendants who own leasehold properties in a three-storey building at 6420 Buswell St. The claim lists arrears for renovations and repairs, ranging between \$9,300 to \$23,700, owed to Westpark by each of the defendants as of May 15. It calls for the leases to be terminated if they aren't paid. There are no regulations for leaseholds, so specific details vary depending on individual, private contracts. The buyer owns the apartment, but not the land.

"Unfortunately, in leasehold properties that are not bound by co-op or strata legislation, the leaseholders are often less-informed and unaware of the implications of the leases they may have signed," said Tony Gioventu, executive director of the Condo Home Owners Association. "I doubt any have read them and understand the obligations or implications."

The leaseholders say they're unsuccessfully trying to find a lawyer to help them respond to Westpark's claim by June 20. Many of them are longtime, low-income residents such as Rosalie Ann Paul, who has been living in her unit since 1974.

Michelle Stewart, Paul's daughter, said her mother, who is 72, has been a widow living on a pension for more than a decade and was recently declared legally blind. She lives with Stewart's sister and nephew because she needs their help for daily tasks.

"The problem is Westpark decided last year to do a whole bunch of renovations and stick the leaseholders with the bill," said Stewart.

In recent years, Stewart says her mother has contributed to building repairs such as new copper piping. She pays monthly maintenance fees and has been contributing \$500 a month to cover as much of the cost of the new renovation charge as she can.

There are also other younger residents such as Yuna Yu, who bought a unit in 2016 and lives there with her husband and elderly father. The landlord's option of charging for renovations through a monthly charge of \$3,600 over 24 months is still way out of her budget. ~~=\$86,400~~

"We aren't working now (because of the pandemic), but even when we are, we make \$1,700 to \$1,800 (a month). How can I get that other part?" she asked.

One leaseholder, Jonathan Wong, rents out his unit and said he's financially able to pay the renovation charges but isn't doing so because "there is a lot of ambiguity" about them.

When the renovations started last fall, he lost his tenant and found a replacement in February who was only willing to pay 50 per cent of the rate as long as the renovations continue because they're so disruptive.

Even though he knows there isn't a legal avenue for dispute, he feels the charges by the landlord for renovations are overpriced and questions the need for some of them in a market with so few affordable-housing options.

"I can pay it, but it doesn't feel right to do so when I go there and see that, man, there are many low-income leaseholders. Some are in wheelchairs and don't have much and can't move, but will lose their homes on this," he said.

A property manager for 6420 Buswell St. at Westpark Investments told Postmedia News, "We have no comment."