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No. Registry
Victoria

In the Supreme Court of British Columbia

IN THE MATTER OF THE LEGAL PROFESSION ACT
S.B.C. 1998, Chap. 9, s.70

Between *Singleton Urquhart Reynolds Vogel, LLP*

Law Firm

and *Gerald Roterig, indemnifier*

Client(s)

APPOINTMENT

I appoint:

Time: *2 pm*

Date: *15 April 2024*

Place: *Victoria courthouse*

as the time and place for the: *[Check the correct box(es) and complete any required information.]*

assessment of the bill of costs of
[party(ies)]

☒ review of the bill of *Singleton Urquhart Reynolds Vogel, including*
[name of lawyer of law firm] *Mr. Mark Stacey*

examination of the agreement between
[lawyer]

and
[client]

settlement of the terms of the order of
[Mr. Justice, Madam Justice or Master]
made
[dd/mm/yyyy]

passing of accounts of
[executor, administrator, receiver or other]

reference under the Court Order Enforcement Act

reference order by
[Mr. Justice, Madam Justice or Master]

assessment of sheriff's fee

other

Attached to this Appointment are the ☐ bill(s) of costs ☐ lawyer's bill(s) * annual statements.
[is/are]

☐ sheriff's bill(s) ☐ agreement(s) ☐ order(s) that the subject of this Appointment.
[is/are]

Date: Feb 20, 2024

.....
Master, Registrar or Special Referee
Deputy District

To: Mark Stacey
[name].

TAKE NOTICE of the above appointment.

The person seeking appointment believes the matter for which this appointment was sought:

[Check all of the following boxes that are correct and complete the required information.]

☐ is ☐ is not of a time consuming or contentious nature.

☒ will require approximately one hour to complete
[time estimate]

Date: 20 February 2024

Gerald Roterind
Signature of ☒ person seeking appointment
☐ lawyer for person seeking appointment
Gerald Roterind
[type or print name]

Address and telephone number of person seeking appointment or lawyer for person seeking appointment:

Name: Gerald Roterind

Address: 647 Michigan Street, suite 807
Victoria, B.C., V8V 1S9

Telephone: 778-679-5855

Disputed legal bills

Singleton Urquhart Reynolds Vogel, LLP -vs- Gerald Roterling, indemnitor

No legal bills are presented because no disclosure about them is made by Westsea Construction to lessees like me at its Victoria residential leasehold building known as Orchard House. I cannot ascertain what of those costs might be for litigation, what are for non-litigation legal services directly connected with the building operation and whether they are reasonable, nor even whether they include legal services to Westsea Construction for corporate matters involving its many residential properties, which I do not allege, but cannot know.

Of the \$713,691 that the attached statements show was billed to the building's lessees for legal services 2020--2022 my suite #807 is required by the lease to pay .3413%, or \$2,436. Regarding 2023 I calculate the building's budget at \$1,636,929 and note that in the three prior years legal expenses have ranged from 11.28% to 23.28% of the building's annual expenses, so the 2023 legal costs paid by lessees could lie between \$184,645 and \$381,108, and my suite's share of legal billing for 2023 would then lie between \$630 and \$1,301.

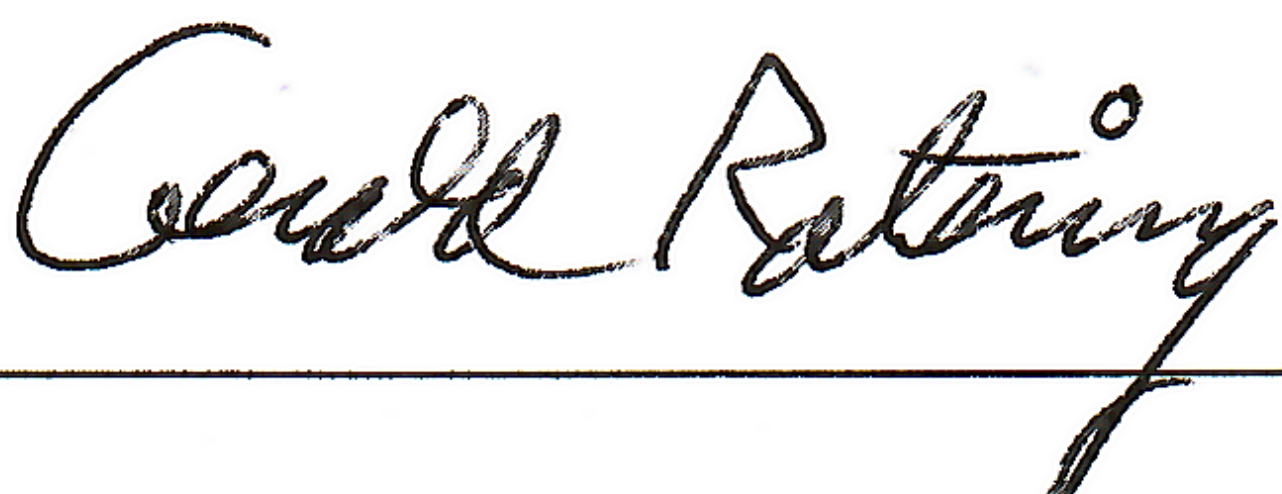
While as much as \$1.1 million has thus been billed by Westsea Construction to its Orchard House lessee indemnitors in the past four years for legal services, my suite's portion appears to lie between \$2,436 and \$3,737.

Prior year summary (rounded dollars):

2022: Legal billing of \$224,743, or 14.43% of budget; my suite's share was \$767

2021: Legal billing of 147,704, or 11.28% of budget; my suite's share was \$504.

2020: Legal billing of 341,244, or 23.28% of budget; my suite's share was \$1,165.



Gerald Roterling, lessee and indemnitor
20 February 2024

WESTSEA CONSTRUCTION LTD.

Suite 2108 – 1330 Harwood Street Vancouver, BC V6E 1S8
Telephone (604) 681 – 2727 Facsimile (604) 684 – 8075

All Leaseholders of Orchard House
647 Michigan Street
Victoria, BC V8V 1S9

October 12, 2022

Dear Leaseholder(s)

Re: Orchard House Operating Budget for the year 2023.

Please be advised that Westsea Construction Ltd. ("Westsea") has finalized your operating budget for the year 2023 which is \$1,636,940.00.

The audit of Actual Operating Expenses for the year ending December 31, 2022 will take place in the second quarter of 2023. Upon completion of the 2022 audit by our accountants, all leaseholders will receive a copy of the report with a summary of the year's expenses. Assessments or refunds will follow according to each leaseholder's unit entitlement.

Your 2023 monthly fees to cover the 2023 estimated Operating Expenses are shown below:

Suites ending '01	\$632.54	Suites – 310, 510, 710, 910	\$918.05
Suite 102	\$652.05	1110, 1410, 1610, 1810, 2010, & 2210	
Suites ending in '02 & 03	\$620.26		
Suites ending in '04 & '09	\$620.26		
Suites ending in '05	\$913.00	Suites – 210, 410, 610, 810	\$864.44
Suites ending in '06	\$609.08	1010, 1210, 1510	
Suites ending in '07 & 08	\$465.57 ←	1710, 1910, 2110 & 2310	
Please provide 12 post dated cheques (starting Jan 1, 2023), payable to Westsea Construction Ltd. Please note we do not offer any other type of payment methods. Please include your File number on your cheques.			

Each leaseholder is responsible for their pro-rated share of the Operating Expenses as noted above and defined in the lease agreement with Westsea (the "Lease"). Monthly payments as noted are due the first day of every month and are to be dated for the 1st of every month.

Regards,

WESTSEA CONSTRUCTION LTD.

Per Brian Slater, Property Manager
Encl.

*My suites \$465.57/month x 12 = \$5,587/year ÷ suite size percentage
of 0.3413% (÷ 0.003413) = \$1,636,929 budget.
for 2023.*

Westsea Construction Ltd.
Orchard House
Schedule of Operating Costs

<u>For the year ended December 31</u>	<u>2022</u>	<u>2021</u>
Operating expenses recoverable	<u>\$ 1,423,737</u>	<u>\$ 1,095,136</u>
Operating expenses		
Accounting and administrative costs	68,500	67,150
Audit	7,883	7,878
Electricity	32,023	30,379
Elevator maintenance	34,318	41,055
Heat	112,141	82,399
Insurance	399,729	359,096
Legal	224,743	147,704
License	2,004	1,958
Operating supplies	3,085	1,513
Pool and sauna	8,914	1,760
Property taxes	212,523	222,014
Repairs and maintenance	187,690	111,587
Salaries and employee benefits	106,592	96,871
Scavenging	42,683	35,442
Telephone and enterphone	4,522	4,131
Water	110,506	98,702
Total expenses	<u>1,557,856</u>	<u>1,309,639</u>
Deficiency of recoveries over expenses	<u>\$ (134,119)</u>	<u>\$ (214,503)</u>
Represented by:		
Normal operating	<u>\$ (134,119)</u>	<u>\$ (214,503)</u>

Westsea Construction Ltd.
Orchard House
Schedule of Operating Costs

For the year ended December 31	2021	2020
Operating expenses recoverable	<u>\$ 1,095,136</u>	<u>\$ 1,521,843</u>
Operating expenses		
Accounting and administrative costs	67,150	65,832
Audit	7,878	4,723
Electricity	30,379	31,022
Elevator maintenance	41,055	49,145
Heat	82,399	66,369
Insurance	359,096	326,545
Legal	147,704	341,244
License	1,958	1,793
Operating supplies	1,513	2,208
Pool and sauna	1,760	1,079
Property taxes	222,014	207,661
Repairs and maintenance	111,587	132,023
Salaries and employee benefits	96,871	92,620
Scavenging	35,442	37,497
Telephone and enterphone	4,131	4,135
Water	98,702	102,222
Total expenses	<u>1,309,639</u>	<u>1,466,118</u>
Excess (deficiency) of recoveries over expenses	<u>\$ (214,503)</u>	<u>\$ 55,725</u>
Represented by:		
Normal operating	<u>\$ (214,503)</u>	<u>\$ 55,725</u>