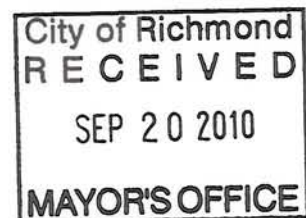


memo

To: **Mayor:** Malcolm Brodie
From: Allan Shen
CC:
Date: September 20, 2010
Re: Special Council Meeting held on the date of September 27, 2010 for the properties of 9271 and 9611 Alberta Road, Richmond, BC

Comments: This document package is for the Special Council Meeting held on the date of September 27, 2010 for your perusal.



memo

To: Councillor, Linda Barnes
From: Allan Shen
CC:
Date: September 20, 2010
Re: Special Council Meeting held on the date of September 27, 2010 for the properties of 9271 and 9611 Alberta Road, Richmond, BC

Comments: This document package is for the Special Council Meeting held on the date of September 27, 2010 for your perusal.

To: Richmond City Council

From: Allan Shen

September 21, 2010

Re: Unsightly of the Properties of 9271 Alberta Road, Richmond, BC

APPEAL

1. In addition to the letter of May 25, 2010, we were verbally advised by Mr. Wayne G. Mercer that, for safety concerned, all bushes and vegetation of the whole property 9271 has to be removed and only not over 20 centimeter grass be allowed. This is the first time we were asked to do so.
2. In accordance with City unsightly Bylaw, we did keep the area around the house neat and clean. And we comply with unsighted Bylaw always.
3. For safety concern, we have boarded the house and put up wire fence as well.
4. We do not agree to remove all bushes and vegetation of the backyard of the whole one acre property. We cannot see the reason of safety concerned due to the bushes and vegetation. And we do not see any inconvenience and harm to anybody.
5. Please realize that the Garden City Community Park and City property 9420 Alberta Road are all full of bushes and vegetation. Both the park and 9420 are walking distance from 9271. (Please refer to photos). We wonder is there any person to complain about safety concerned and its overgrown grass and vegetation of the park and 9420 Alberta Road? If the park and 9420 have no safety concerned and not overgrown grass and vegetation, why is the private property 9271 in backyard?

PROPERTY UNSIGHTLY

Refer to "compliant history by Wayne G. Mercer"

1. The property was occupied by the Tenant, Ms. Olivia Sico from May 2005 until March 2009. We do sure the Tenant did keep the premises neat and clean. Please refer to her letter of September 14, 2010 which is self-explanatory. The report of the compliant history "Unsightly Premises and construction refuse opened 08104122" is not true.

2. The new tenant David Tran moved in the premises July 16, 2009 and moved out January 19, 2010 upon termination of the lease. Enclosed please find letters addressed to the tenant and the City. As a matter of fact, City staff was keeping contact with the tenant directly for months. So as we did. (Please refer to the letters attached)
3. We cleaned up the property immediately after the tenant moved out. Please refer to invoice #2307 of 12/2/2010. The condition was accepted by Property Use Inspector, Mr. Ron Graham.
4. We were responsible and complied with Bylaw.
5. Please refer to photos provided by Law & Community Safety and by us. The vacant property to the west side of 9271 is not our property. And we would like Bylaw department to tell us as well who owns the east south corner property at the intersection of Katsuma Street and Hermlock Drive.

To whom it may concern,

We lived in 9271 Alberta Road, Richmond BC, since May 2005 and moved out March 2009. During this period of time we did keep the premises neat and clean. There was no construction refuse in the property and the premise was not unsighted.

Sincerely,

A handwritten signature in black ink, appearing to read 'Olivia Sico', with a long horizontal flourish extending to the right.

Olivia Sico

September 14, 2010

J22

Walden Disposal Services

7411 Francis Road
Richmond, B.C.
V6Y 1A1

Invoice

Date	Invoice #
12/02/2010	2307

Invoice To
Allan Shen Attn: Kenneth Hung 260-8291 Alexandra Road Rmd, B.C. V6X 1C3

P.O. No.	Terms	Project

Qty	Description	Rate	Amount
	Removal/disposal of garbage and debris. GST On Sales	2,750.00 5.00%	2,750.00 137.50
PAID 2/15		Total	\$2,887.50

GST/HST No. 139919856

cel 604 724 5258

or

Mr. David Tran

July 20, 2009

The talent 9271 Alberta Road Richmond BC

Hand delivered

Dear Mr. Tran,

Please refer to our lease agreement July 6, 2009 that "The talent is responsible to maintain the premise in neat & clean".

Enclose please find the letter from City of Richmond July 17, 2009, please contact the city of Richmond & correct the situation at your soonest. If you fail to do so, we have no alternative but to terminate the lease.

The landlord

Allan Shen

604 862 2680

Mr. David Tran
 Tenant for 9271 Albert Road, Richmond

August 8, 2009

Dear Mr. Tran,

This is to notify you the following:

1. The house you leased is in resident area & is only for residence.
2. Any change or modification of the house & yard should be agreed by the landlord and comply with City bylaw.
3. It is found that you install tents in the yard & modify part of the house at back without our consent.. We reserve the right asking you to remove the tents or any change of the house during lease period



Allan Shen

Mr. David Tran

Sept. 17, 2009

The Talent of 9271 Alberta Road, Richmond BC

Hand delivered

Dear Mr. Tran,

Enclosed please find the copy of the letter from City of Richmond, Sept. 16, 2009.

Please contact the City of Richmond & correct the situation to meet BC Building Code immediately.. And please let us know as soon as the issue solved.

Please refer to our letter of August 8, 2009 and we should comply with City Bylaw at all time.

Please contact the undersigned if you have any query.

Allan Shen

September 22, 2009

9271 Alberta Road
Richmond, BC
V6Y 2M9

Attention: Mr. David Tran

Dear Sir:

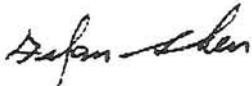
Re: 9271 Alberta Road, Richmond, BC

Attached please find a copy of the letter of City of Richmond regarding a compliant of the scattered miscellaneous articles and garbage scattered in the front and rear yards. In order to comply with the City Bylaw, please contact the Property Use Inspector, Mr. Ron Graham, and address the situation to meet the City Bylaw No. 7162 at your earlier convenience.

If you have any questions, please do not hesitate to contact the undersigned.

Thank you for your kind attention.

Yours truly,



Allan Shen

cc: Ron Graham, Property Use Inspector

Mr. David Tran
Tenant of 9271 Alberta Road
Richmond BC

Oct 9. 2009

Dear Mr. Tran

Enclosed please find the copy of the letter from City of Richmond, Mr. Ron Graham, property use inspector, Oct 9, 2009, which is self-explanatory.

Please contact Mr. Graham and Mr. L. Johnson at your earliest convenience to solve the problem, to meet City Bylaw. If you fail to do so, we have no choice but to terminate the lease immediately.

Please contact the undersigned & keep me informed.

Allan Shen
Landlord

Copy to: Mr. Ron Graham, Property Use Inspector
Mr. L. Johnson, Supervisor, Building Inspections

November 24, 2009

9271 Alberta Road
Richmond, BC
V6Y 2M9

Attention: Mr. David Tran

Dear Sir:

Re: 9271 Alberta Road, Richmond, BC

Attached please find a copy of the letter of City of Richmond, which is self-explanatory. As we wrote you and verbally asked you for several time to comply with City Bylaw. Up to this date, we have no choice but to terminate the lease agreement.

Enclosed please find the 1 Month Notice To End Tenancy For Cause form to you to terminate our residential tenancy agreement. Please remove all structures you set up in the property and remove all articles and garbage as well before you vacate the property.

If you have any questions, please do not hesitate to contact the undersigned.

Yours truly,



Allan Shen

cc: Ron Graham, Property Use Inspector

Via by Fax (604) 276-4036

November 24, 2009

City of Richmond
6911 No.3 Road
Richmond, BC
V6Y 2C1

Attention: Mr. Ron Graham

Dear Sir:

Re: 9271 Alberta Road, Richmond, B.C.

Thank you for your letter dated November 20, 2009 regarding the unsightly aspect of the above-noted property.

Enclosed please find the letter dated November 24, 2009 addressed to the tenant and 1 Month Notice To End Tenancy For Cause form, which is self-explanatory. As we cannot do everything until we will have a vacant possession. We will comply with City Bylaw as soon as the tenant vacates the property.

If you have any questions the above-noted matters, please do not hesitate to contact us regarding the above matters.

Yours truly,



Kenneth Heung

The west side property of 9271 is City property



↑ PROPERTY BORDER LINE



To: Richmond City Council

From: Allan Shen

September 21, 2010

Re: Unsightly of the Properties of 9611 Alberta Road, Richmond, BC

APPEAL

1. Further to the letter of May 25th of the Manager, Community Bylaw, we were advised verbally by him that, for safety concerned, all bushes and vegetation of the whole property 9611 have to be removed and only not over 20 centimetre of grass be allowed. This is the first time we were asked to do so.
2. In accordance with City Unsightly Bylaw, we did keep the area around the house neat and clean. And we comply with City Bylaw always.
3. For safety purpose, we have boarded the house and put up wire fence as well.
4. We do not agree to remove all bushes and vegetation of the backyard of the whole one acre lot property. We can not see the reason of safety concerned due to the bushes and vegetation. And we do not see any inconvenience and harm to anybody.
5. Please realize that the Garden City Community Park and City property 9420 Alberta Road are all full of bushes and vegetation. Both the park and 9420 are walking distance from 9611. (Please refer to photos). We wonder is there any person to complain the safety concern and its overgrown grass and vegetation of the park and 9420 property? If the park and 9420 have no safety concerned and not overgrown grass and vegetation, why is the private properties of 9611?

REMINDER AND COMPLAINT

Furthermore, we would remind Bylaw department that there are quite numbers of property in the city full of bushes and vegetation.

Please refer to photos of the few properties around Alberta Road area which are full of bushes and vegetation.

9431 Alberta Road (beside Adler Street and apartment entrance)

9651 Alberta Road (Since July 2010 this property is being developed)

9420 Alberta Road (City Property)

Garden City Community Park

9341, 9411 Granville Street

Property enclosed by No.4 Road/Garden City Road/Alderbridge/Westminister Highway

8220-8280 Alexandra Road

We want to ask Bylaw Department whether they will enforce unsighted Bylaw to those properties as we are now complaining. And we could make a list of all such properties in the City if the City Bylaw department needs.

UNFAIR & INJUSTICE

For years we were tried to be patient and very unhappy with City Bylaw department and some officers for their selectively and targeted against us. They were enforced Bylaw with different criterion against us and the neighbour property 9651 Alberta Road; and other properties around this area. We have no choice but to write you what was happened in the past years and request to investigate this matter whether it is unfair and injustice.

1. Please refer to our letter of July 24, 2008 in which we complained to the Bylaw Officer of her different criterion enforcing unsightly Bylaw against properties of 9611 and 9651, and her selectively against us.
 - a. We did not receive response from Bylaw department or any Bylaw officer in written or verbally.
 - b. We received letter on May 12th and mowed grass immediately on May 15th. Please be understood that early of May grass are starting to grow. 9611 property had new grass but not unsightly.
 - c. Again we received letter July 9th and cut grass immediately even grass were not long. We wrote to the Bylaw officer refusing to remove bushes 6 ft. from neighbour properties (Please refer to our letter). Then she did not response and contact us.
 - d. Property 9611 and 9651 are adjacent properties. There is no fence between and looks like one piece property.
 - e. We want to ask that why bylaw officer inspected our property 9611 regularly but disregarded property of 9651 for years (2005, 2006, 2007, 2008, 2009 and 2010) with long grass and bushes growing wild.

We want to ask also that when she inspected 9611, did she see 9651 was full of long grass and bushes extended to the Alberta Road? (Please refer to photos)

We did complain to Bylaw office Carole Sejberg but our complaint was ignored. We want to know, why? And we want to know why Bylaw officer enforced different criterion to the owners of two adjacent properties?

- f. It is reasonable to doubt there was a complaint against our property unsightly. We request City to find out who complained and how they complained. If the complaint was from east side neighbour, they should complain 9651 which is their adjacent property with overgrown bushes and grass for years. If the complaint was from west side apartment, they should complain the whole area including 9611 and 9651, and they also should complain 9431 because its overgrown bushes are beside their apartment entrance and with no fence. (Please refer to photos)
 - g. Please refer to photos of 9611, 9651, and 9431.
2. Please refer to our letter of July 28, 2008 in which we complained properties having overgrown weeds and long grass; and asked to investigate and addressed with City Unsightly Bylaw.
- a. We were advised by the letter of August 7, 2008 of Mr. Mercer that “They will attempt to address majority of the concerns. That immediately affects you in due course.” Why Majority? Why immediately affects you? Bylaw department should enforces Bylaw to all people equally, not selectively and target few property owners.
 - b. We live in Alberta Road and know this area very well. We are sure that those properties listed in our letter, 9391, 9420, 9651, 9431, 6380 were never to mow the lawn and trim bushes and vegetation in 2006, 2007, 2008, 2009, and 2010. This is not conformity to the letter of August 7, 2008 of Mr. Mercer.

We would request City to investigate this matter and let us know what was going on?

3. Please refer to our letter of August 17, 2008 addressed to Mr. Wayne G. Mercer.
- a. We did not receive any reply from him either in written or verbally.
 - b. We were not happy for his ignorance to our letter and complaint. It would cause him no harm to give us a call responding to our letter but he did not.
 - c. We want to know, why? It is prudently to say that this is absolutely inappropriate attitude of a public service staff.

PROTEST

We protest to the City Bylaw department and their officer to enforce City unsighted Bylaw with different criterion to property owners; and we protest their selectively and targeted against us.

We live in Alberta Road more than 20 years and 35 years in Richmond. We know what was happened in the past of the City. We do admire and remember all people who contributed their effort to make City of Richmond beautiful and liveable from a farm land to a modern city.

We are not confronting with the City or any individual but we do feel that the City Bylaw Department should have same criterion to all property owners and should not target and selectively against anyone. We behave as a good citizen and comply with Bylaw always but we are not happy to be targeted and treated unfair and injustice.

As we mentioned before, it is apparently that the properties of 9611 and 9651 look like one piece property. Bylaw officer checked our property 9611 consistently but ignored property 9651 and other properties around Alberta Road with long grass and bushes growing wild for years, even we complained but they ignored. Under such circumstance, we cannot endure anymore but to look for fair and justice.

The City owns the property of 9420 Alberta Road and it is beside of our residence (please refer to photos). Please inspect what it looks like today. For years, black berry and bushes have extended into our property but usually we did not complaint about. Instead, we clean and remove it by ourselves. We know to be friendly with neighbours is a virtue.

As seniors, we know how to behave ourselves, how to be friend with neighbours and to comply with Bylaw. But when we feel unfair and injustice, not only we feel unhappy but also worry democracy is going to be deteriorated and the excellent work performance of the City administration would be spoiled by few staffs of the City. Democracy is what we are proud of our country. We should keep it for our kids and future generations. We have to stop such unfair and injustice to happen.

July 24, 2008

City of Richmond
6911 No.3 Road
Richmond, BC
V6Y 2C1

Dear Mayor and Councillors:

Re: 9611 Alberta Road, letter of July 9, 2008 (file: 08-430411) of Bylaw Liaison Officer (Carole Sejberg)

Being Richmond resident 33 years, we are always to comply with city bylaws. However, referring to subject issue, we are not happy with Richmond city bylaw office. And we feel that subject case is selective and Bylaw Liaison Officer, Carole Sejberg, enforced Bylaw with different criterion.

Please refer to the following:

1. Year of 2007:

The whole year of 2007, we mowed lawn and kept property clean. But grass and blackberry bushes of 9651 were growing wild in the whole year. We want to ask that did the Bylaw officer write them to comply with unsightly Bylaw? If the answer is yes, why the property owner did not comply with bylaw and left grass and blackberry bushes grown wild whole year. If not, What is the reason?

2. Year of 2008:

Please refer to the letter of May 12, 2008 of Bylaw officer, Carole Sejberg.

Please refer to photos 1, 2, 3, and 4 (May 20, 2008) of 9611 & 9651 Alberta Road. We mowed lawn and cleaned up property to comply with unsightly bylaw in May 15, 2008. But until this date, grass and blackberry bushes of 9651 are growing wild.

We want to know that whether the owner of 9651 was notified their property unsightly same as to us. If yes, why the owner did not comply bylaw. If not, what is the reason? Please be aware of that those are side by side properties. It seems one piece.

Please refer to the letter of July 9, 2008 of bylaw liaison officer, Carole Sejberg.

Please refer to photos (17-7-08) of 9611 and 9651 Alberta Road.

Referring to photo, grass of 9611 is not long but 9651 shows long grass and blackberry bushes are growing wild and extending to Alberta Road and our property 9611.

We want to know that did Carole Sejberg address to the property owner of 9651 for unsightly property. If not, we want to know the reason, why?

As to "a strip of 6 ft min. to be cut along neighbour property," please refer to photos of properties of 9391, 9420, 9431, 9451, 9471, 9651, and properties around Springbrook Townhouse of Birch Street. There is no one of all properties to have 6 ft. strip along neighbour property.

We want to know whether did Carole Sejberg or other Bylaw officer address same issue to those property owners to comply with "6 feet strip" Bylaw? If not, we want to know the reason? Why?

Furthermore, all above mentioned properties are full of long grass and vegetation bushes. We want to know did Carole Sejberg or other bylaw officer write them that their properties is unsightly and asked to comply unsightly bylaw? If not, we want to know the reason? Why?

Here we are solemnly to say that we are always to comply with city bylaw and we like to see that city bylaw has one criterion to all property owners.

Regard to the letter of July 9, 2008 (file no. 08-430441), we are temporary to hold until to receive your reply. We honor city bylaw but we do not agree and accept bylaw to be enforced selectively and by different criterion.

Thank you for your attention and we remain.

Yours truly,

Allan Shen
9400 Alberta Road
Richmond, BC
V6Y 1T6

July 28, 2008

City of Richmond
6911 No.3 Road
Richmond, BC
V6Y 2C1

Dear Mayor and Councillors:

Re: Complaint for Unsightly Premiese

The following properties have overgrown weeds and long grass. Would you please investigate and address in accordance with City Unsightly Bylaw.

9391 Alberta Road
9420 Alberta Road
-9651 Alberta Road
9431 Alberta Road and Adler Street
6380 Garden City Road
Opposite property of 4060 Garden City Road
Shell Road – east side between River Road and Westminster Hwy.
Railway Road – west side
Park Area (Alberta Road, Garden City Road and Granville Avenue)
4071, 4091, 4111, 4131 of No. 4 Road
6060 and 6720 of No.4 Road
10120, 10460, 10680, 10220, 10360, and 10420 of Westminster Hwy
9420 Alexandra Road
9560, 9580 of Cambie Road
9511, 9551, 9571 of Odlin Road

In the Alexandra Road and Odlin Road between No.4 Road and Garden City Road: There are many properties unsightly and do not have street address numbers to be identified. It would be very clear to know the address if City staff carries a spot check with the map such as below:

Alexandra Road:

1. Opposite property of 9233
2. Left and Right side property of 9233
3. Opposite property of 9311
4. Right side property of 9311
5. 9371 Alexandra Road
6. Right side property of 9420
7. Opposite property of 9471
8. Opposite property of 9491
9. Left side property of 9560
10. Opposite property of 9560
11. Opposite property of 9626

12. Left side property of 9720
13. Opposite property of 9800
14. 9200

Odlin Road:

1. 9551, 9511, and 9571
2. Left side property of 9171
3. Opposite property of 9086
4. Right side property of 9091

As many properties do not show address numbers. Would you please excuse if there is any mistakes.

I was told that the process of unsightly bylaws start with a complaint. In order to make City of Richmond beautiful and livable so I start this complaint.

Looking forward to your reply and expect to see City of Richmond pretty. You can reach me (604) 862-2680 if anything I could help.

Thank you for your attention and we remain.

Yours truly,

Allan Shen
9400 Alberta Road
Richmond, BC
V6Y 1T6

July 28, 2008

City of Richmond
6911 No.3 Road
Richmond, BC
V6Y 2C1

Dear Mayor and Councillors:

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- 9391 Alberta Road
- 9420 Alberta Road
- ~~9651~~ Alberta Road
- 9431 Alberta Road and Adler Street
- 6380 Garden City Road
- Opposite property of 4060 Garden City Road
- Shell Road - east side between River Road and Westminster Hwy.
- Railway Road - west side
- Park Area (Alberta Road, Garden City Road and Granville Avenue)
- 4071, 4091, 4111, 4131 of No. 4 Road
- 6060 and 6720 of No.4 Road
- 10120, 10460, 10680, 10220, 10360, and 10420 of Westminster Hwy
- 9420 Alexandra Road
- 9560, 9580 of Camble Road
- 9511, 9551, 9571 of Odlin Road

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Thank you for your attention and we remain.

Yours truly,

Allan Shen
9400 Alberta Road
Richmond, BC
V6Y 1T6

9431 Alberta Road and Adler Street



9611 & 9651 Alberta Road



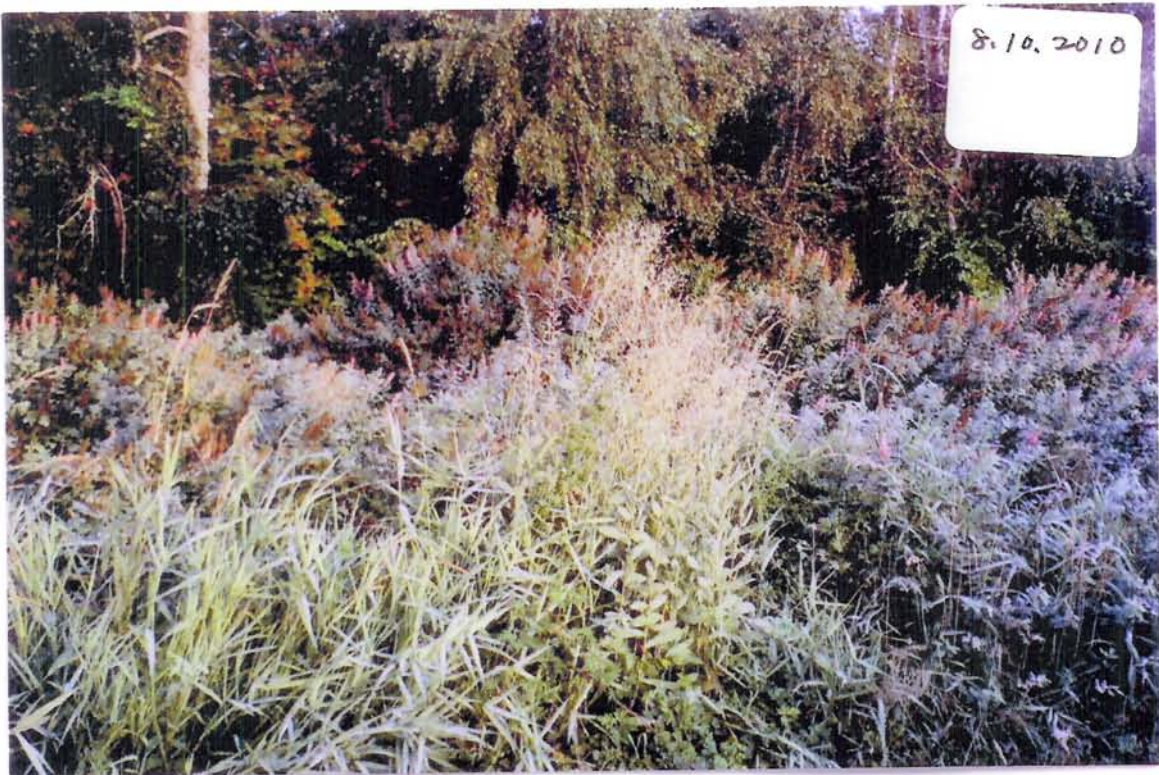
9420 Alberta Road (City Park Property)



Garden City Community Park (Photo 1 & 2)



Garden City Community Park (Photo 3 & 4)



9341 and 9411 Granville Road



Garden City Road & No. 4 Road



To: Richmond City Council

From: Allan Shen

September 21, 2010

Re: Staff Report of July 18, 2010
Site cleaned up of Unsightly Property of 9611 Alberta Road

Refer to voluntary compliance history of the letter of Oct 25, 2005 of Bylaw Officer, Carole Sejberg

1. The Bylaw officer admitted in her report of 2005 that she asked us to clean 9611 but did not ask City to cut grass of the adjacent property of 9651 until we questioned. And this was the first and last time to mow the lawn and cut the bushes in six years of 9651.
2. We were always to keep the house area neat and clean, but did not agree to remove bushes in backyard of one acre lot property. Please refer to our previous letters.
3. Please refer to our letters and photos that property of 9651 did not mow the lawn and bushes in the years 2006, 2007, 2008, and 2009, and 2010. We want to ask Officer Carol Sejberg that did she see any long grass and bushes of 9651 when she inspected our property 9611? What is the reason she did not enforce Unsightly Bylaw to 9651?
4. Although we were not happy and complained to Officer, Carol Sejberg, we did comply with unsightly Bylaw to keep the house area neat and clean.

Refer to complaint history: Report to Council on July 8, 2010 by Mr. Wayne G. Mercer

1. We check our file and cannot find letters from Bylaw Department to address those complaints.
2. 9611 is one acre lot. For years we did keep the house area neat and clean. We do not know what does the meaning of vegetation?
3. The house is vacant and was boarded. How could be to find debris always?
4. Early of May, grass has not grown yet. We usually inspect the property and mow the lawn as it is required. Due to some reasons, such as busy season for gardeners, we may delay week or two. Then we were served complaint from Bylaw Officer.
5. The fire staff did contact Mr. Kenneth Heung. He was managing the property. I did tell the fire staff to contact Kenneth directly and he will comply with Bylaw. I do not

understand what is meaning of “hostility” here? I do remember I was polite. It is regret of hearing such accusation.

9420 Alberta Road (City property) - Its bush extends over fence into
9400 Alberta Road (My house)



CNCL - 34
(Special)