

Hunter Litigation Chambers

KAARDAL/SMART/STEPHENS/OULTON/OLTHUIS/HUNTER

May 17, 2021

File No: 3484.001

BY EMAIL - sramray@bchousing.org

BC Housing
1701 - 4555 Kingsway
Burnaby, BC V5H 4V8

Attention: Shayne Ramsay, CEO

Dear Sirs/Mesdames:

Re: 352 Winnipeg Street, Penticton (the “Property”)

I am counsel for the City of Penticton.

As you are likely aware, the City’s position is that the continuing use of the Property as an “emergency shelter”, beyond the expiry of Temporary Use Permit PL2020-8834 on April 1, 2021, is unlawful.

I have your letter of March 8, 2021, addressed to the City’s Mayor and Council, invoking a potential “Paramountcy Option” with respect to the Property. Your letter refers to and partially describes a “facility licence agreement dated for reference May 1, 2020”, between Pentictonia Holdings Ltd. and the Provincial Rental Housing Corporation. I ask that you or your staff provide us at your earliest convenience with a copy of that agreement, and its amendments dated July 24, 2020 and February 8, 2021.

We understand that the shelter is operated by the Penticton and District Society for Community Living. I ask that you provide us with whatever agreements or other documents purport to authorize and govern the Property’s use by the society.

Finally, if BC Housing has counsel (either in-house or within the Ministry of Justice) to whom future correspondence should be directed, please so advise, and pass along this letter to that individual.



Thank you for your attention to this matter.

Yours truly,

Hunter Litigation Chambers

Per:



Ryan Dalziel, Q.C.

RDD/kmm

cc. Richard Fyfe, Deputy Attorney General (richard.fyfe@gov.bc.ca)