



Attachment 3

Consent Order – July 31, 2020



No. S-214576
NEW WESTMINSTER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

CITY OF NEW WESTMINSTER

PLAINTIFF

AND:

JAMES RICHARD WILLIAM BELL,
TARAS TKACHUK

DEFENDANTS

CONSENT ORDER

BEFORE

}

A MASTER OF THE COURT

}

21/8/2020

ON THE APPLICATION of the Plaintiff, City of New Westminster without a hearing and by consent;

THIS COURT DECLARES that:

1. By consent, the Defendant James Bell has failed to comply with the remedial action requirement imposed by resolution of the Council of the Plaintiff City of New Westminster on November 20, 2017 in relation to the single family dwelling (the "House") located on land legally described as PID: 013-646-591, Lot 22 of Lot 15 Suburban Block 10 Plan 2620 having the civic address of 509 Eleventh Street, New Westminster, BC (the "Property").

THIS COURT ORDERS that:

2. By consent, the Plaintiff is granted leave to amend the Amended Notice of Civil Claim filed on September 10, 2019 to correctly identify the first named defendant as James William Richard Bell, and that the style of cause be amended accordingly.

3. By consent, the Defendant James William Richard Bell shall remove the scaffolding that surrounds the House by April 5, 2021.
4. By consent, the Defendant James William Richard Bell shall either:
 - a. apply for and obtain all permits required under the Plaintiff's Building Bylaw No. 8125, 2019 and the BC Building Code and perform the following remedial work to the House:
 - i. remedy the ingress and pooling of water in the basement of the House;
 - ii. remove the broken glass from the window frames on the ground floor and install new windows;
 - iii. repair the interior hallway ceiling on the main floor;
 - iv. repair or replace missing or deteriorated wood framing;
 - v. repair or replace the furnace;
 - vi. seal the House to prevent intrusion of vermin;
 - vii. repair and repaint the siding, stucco and soffits;
 - viii. remove the tarp from the top of the House; and
 - ix. replace the roof; or
 - b. submit to the Plaintiff a complete application for a demolition permit and upon issue of such permit, demolish the House.
5. By consent, the Defendant James William Richard Bell shall perform the requirements listed in subparagraphs 4(a)(i) to (iii) of this Consent Order by November 5, 2020.
6. By consent, the Defendant James William Richard Bell shall perform the requirements listed in subparagraphs 4(a)(iv) to (ix) or the requirement listed in subparagraph 4(b) of this Consent Order by April 5, 2021.
7. By consent, the Defendant Taras Tkachuk shall vacate the House within 60 days of the Defendant, James William Richard Bell, obtaining a demolition permit if James

William Richard Bell elects to comply with paragraph 4 of this Consent Order by demolishing the House.

- 8. By consent, the Defendant James William Richard Bell shall remove and dispose of all waste, debris and discarded materials associated with the required work on the House at an appropriate waste disposal facility by April 5, 2021.
- 9. By consent, the Defendant James William Richard Bell shall pay the Plaintiff costs fixed in the amount of \$4,200.00.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT



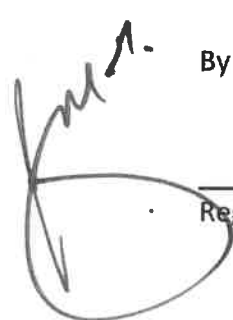
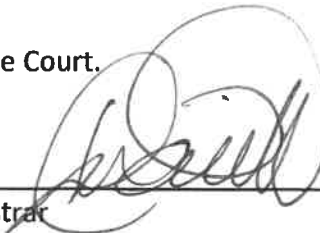
Signature of party
 lawyer for the Plaintiff City of New Westminster
Michael Moll



Signature of party
 lawyer for James William Richard Bell
Andrew Peng



Signature of party Lawyer for _____
Taras Tkachuk

 By the Court.
Registrar 



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NEW WESTMINSTER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

CITY OF NEW WESTMINSTER

PLAINTIFF

AND:

JAMES RICHARD WILLIAM BELL,
TARAS TKACHUK

DEFENDANTS

ORDER

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Our File No. 239-1110

CIVIL REGISTRY

AUG 14 2020

NEW WESTMINSTER

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