

## Michael Drouillard

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**From:** Michael Drouillard  
**Sent:** January 29, 2024 1:16 PM  
**To:** Logan  
**Cc:** Brett Love  
**Subject:** RE: Additional Information Request Re: Residential Tenancy Branch Additional Rent Increase, File No.190128611

Logan,

Further to your requests below, our response is as follows. Note that we will be providing a copy of this correspondence to the RTB.

We note that a significant number of your requests were already provided in the landlord's written materials.

### General

- Provide maintenance, service, and repair records for all components that were replaced/repared (Elevator, hallways, lobby, lighting, intercom, boilers, & walls) for both before and after the Landlord took ownership of the building

**Answer: My client is considering this request. Notably, the landlord is not seeking to replace components that have failed. The installations relating to the elevator are part of an elevator modernization project in which new major components were added to the existing elevator. The legislation only requires production of maintenance records concerning components that are being replaced.**

- Provide contracts made with any and all contractors employed in this work

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide the insurance applicable to the building

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response. It is also too vague to be responded to – what insurance in particular?**

- Before and after photos of all "projects"

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

### Elevator Modernization (01)

- Provide a copy of the assessment of the old elevator (Include make, model, and serial number)

**Answer: This is already set out in the elevator consultant's report provided to you. Nothing further will be provided in response.**

- Provide a copy of the professional recommendation to replace the elevator (Include the reasons / rationale behind the recommendation)

**Answer: This is already set out in the elevator consultant's report provided to you. Nothing further will be provided in response.**

- Provide any maintenance service agreements that have been active with contractors during this building's lifetime

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide a copy of all quotations / estimates considered to modernise the elevator

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide complaints from tenants about the elevator (before, during, and after modernization project)

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response. Additionally, this is irrelevant.**

- Provide records showing the date when prior components and system were installed

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

#### **Renovations and Repairs to Hallways and Lobby (02)**

- Provide a copy of any professional recommendations to carry out the work (Include reasons / rationale behind the recommendation)

**Answer: The landlord will testify about this at the hearing.**

- Provide a clear itemized project plan with budget

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide a copy of any hazardous materials Inspections carried out prior to commencing construction

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide a copy of any reports pertaining to abatement measures carried out

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide details of measures taken to protect residents health and safety during any construction projects carried out. Including all of the following:

- disposal of refuse / construction debris
- signage and safety barrier policies
- air quality measures
- security measures
- access and egress policies for residents, contractors, construction materials, and waste materials

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

### **Exterior Lighting (03)**

- Provide records showing the date when prior components and system were installed

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide records indicating which lights were refitted

**Answer: The landlord's representative will testify about this at the hearing.**

- Provide professional assessment of useful life for both current and prior lighting

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

### **Intercom and Security System (04)**

- Provide a copy of the professional recommendation to replace the intercom system (Include reasons / rationale behind the recommendation)

**Answer: The landlord's representative will testify about this at the hearing.**

- Provide a copy of all quotations / estimates considered to replace the intercom system

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Records showing the date when prior intercom components and system were installed

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

### **Installation of New Boiler and Building Automation System (05)**

- Provide a copy of a professional assessment of the old heating system (Including make, model, and serial number of the boilers as well as combustion analysis, water quality test results, and gas rating results)

**Answer: This is already set out in the landlord's written materials.**

- Provide a copy of the professional recommendation to replace the boiler system (Including the reasons/rationale behind the recommendation)

**Answer: This is already set out in the landlord's written materials.**

- Provide a copy of all quotations / estimates considered to replace the heating system

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide the heat load calculations used to determine the capacity required for the new heating system.

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Did the heat load calculation account for the increased lobby size and the increased external glazed area in the lobby?

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide make, model & serial numbers of the new boilers

**Answer: This is already set out in the landlord's written materials.**

- Provide full commissioning reports for new boilers (Include combustion analysis, water quality test results, Gas rating results.)

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Was the system flushed prior to installing any new equipment?

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Was any treatment carried out on the system water (system cleansing / protector)?

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Was a magnetic filter or plate heat exchanger fitted to protect the new equipment?

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- What are the new boiler supply and return set-points?

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- What are the new system supply and return set-points?

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- What is the new system flow-rate?

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide a copy of a recommendation to fit the BAS (Building Automation System) including reasons/rationale behind the recommendation

**Answer: The landlord has already provided this in its evidence package.**

- Provide details on the name, make, model, and serial number of the BAS

**Answer: I am still discussing the matter with my client and will get back to you.**

- How does the BAS benefit the residents?

**Answer: The landlord has already provided this in its evidence package.**

- How does the BAS benefit the Landlord?

**Answer: The landlord has already provided this in its evidence package.**

- Provide a copy of all quotations / estimates considered to install the BAS

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

#### **Exterior Wall Restoration and Repairs (06)**

- Provide a copy of any professional recommendations to carry out the work (Include reasons / rationale behind the recommendation)

**Answer: The landlord is expected to testify about this issue.**

- Provide a clear itemized project plan with budget

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide a copy of any hazardous materials Inspections carried out prior to commencing construction

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide a copy of any reports pertaining to abatement measures carried out

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide details of measures taken to protect residents health and safety during any construction projects carried out. Including all of the following:
  - disposal of refuse / construction debris
  - signage and safety barrier policies
  - air quality measures
  - security measures
  - access and egress policies for residents, contractors, construction materials, and waste materials

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

#### **Other**

- Provide a copy of residents' requests pertaining to black mould in the building

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide a copy of all related hazmat assessments to these requests

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

- Provide a copy of all related abatement reports

**Answer: There is no requirement in the legislation to produce this documentation, nor have you set out a basis for why this should be provided, and so nothing will be provided in response.**

Yours truly,

**Michael Drouillard**

Principal Legal Counsel, **Drouillard Lawyers**

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**he/him/his**

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**From:** Logan <logantaylor69@gmail.com>

**Sent:** Tuesday, January 23, 2024 10:57 AM

**To:** Michael Drouillard <mld@drouillardlawyers.com>

**Cc:** Wayne OBrien <obrienw@telus.net>; Barry Moran <barrymmm@gmail.com>

**Subject:** Additional Information Request Re: Residential Tenancy Branch Additional Rent Increase, File No.190128611

Dear Michael Drouillard and associates,

Myself and the other tenants of Alexander Tower (1326 West 13th Ave) have requests for further information regarding the Landlord's written submission as well as a few questions.

I have compiled them here and broken them down by item for ease of reference, you will note 02 & 06 have almost identical requests, this is not an error and we ask you provide the requested items for both:

## **All**

- Provide maintenance, service, and repair records for all components that were replaced/repaired (Elevator, hallways, lobby, lighting, intercom, boilers, & walls) for both before and after the Landlord took ownership of the building
- Provide contracts made with any and all contractors employed in this work
- Provide the insurance applicable to the building
- Before and after photos of all "projects"

## **Elevator Modernization (01)**

- Provide a copy of the assessment of the old elevator (Include make, model, and serial number)
- Provide a copy of the professional recommendation to replace the elevator (Include the reasons / rationale behind the recommendation)
- Provide any maintenance service agreements that have been active with contractors during this building's lifetime
- Provide a copy of all quotations / estimates considered to modernise the elevator
- Provide complaints from tenants about the elevator (before, during, and after modernization project)
- Provide records showing the date when prior components and system were installed

## **Renovations and Repairs to Hallways and Lobby (02)**

- Provide a copy of any professional recommendations to carry out the work (Include reasons / rationale behind the recommendation)
- Provide a clear itemized project plan with budget
- Provide a copy of any hazardous materials Inspections carried out prior to commencing construction
- Provide a copy of any reports pertaining to abatement measures carried out
- Provide details of measures taken to protect residents health and safety during any construction projects carried out. Including all of the following:
  - disposal of refuse / construction debris
  - signage and safety barrier policies
  - air quality measures
  - security measures
  - access and egress policies for residents, contractors, construction materials, and waste materials

## **Exterior Lighting (03)**

- Provide records showing the date when prior components and system were installed
- Provide records indicating which lights were refitted
- Provide professional assessment of useful life for both current and prior lighting

## **Intercom and Security System (04)**

- Provide a copy of the professional recommendation to replace the intercom system (Include reasons / rationale behind the recommendation)
- Provide a copy of all quotations / estimates considered to replace the intercom system
- Records showing the date when prior intercom components and system were installed

### **Installation of New Boiler and Building Automation System (05)**

- Provide a copy of a professional assessment of the old heating system (Including make, model, and serial number of the boilers as well as combustion analysis, water quality test results, and gas rating results)
- Provide a copy of the professional recommendation to replace the boiler system (Including the reasons/rationale behind the recommendation)
- Provide a copy of all quotations / estimates considered to replace the heating system
- Provide the heat load calculations used to determine the capacity required for the new heating system.
- Did the heat load calculation account for the increased lobby size and the increased external glazed area in the lobby?
- Provide make, model & serial numbers of the new boilers
- Provide full commissioning reports for new boilers (Include combustion analysis, water quality test results, Gas rating results.)
- Was the system flushed prior to installing any new equipment?
- Was any treatment carried out on the system water (system cleansing / protector)?
- Was a magnetic filter or plate heat exchanger fitted to protect the new equipment?
- What are the new boiler supply and return set-points?
- What are the new system supply and return set-points?
- What is the new system flow-rate?
- Provide a copy of a recommendation to fit the BAS (Building Automation System) including reasons/rationale behind the recommendation
- Provide details on the name, make, model, and serial number of the BAS
- How does the BAS benefit the residents?
- How does the BAS benefit the Landlord?
- Provide a copy of all quotations / estimates considered to install the BAS

### **Exterior Wall Restoration and Repairs (06)**

- Provide a copy of any professional recommendations to carry out the work (Include reasons / rationale behind the recommendation)
- Provide a clear itemized project plan with budget
- Provide a copy of any hazardous materials Inspections carried out prior to commencing construction
- Provide a copy of any reports pertaining to abatement measures carried out
- Provide details of measures taken to protect residents health and safety during any construction projects carried out. Including all of the following:
  - disposal of refuse / construction debris
  - signage and safety barrier policies
  - air quality measures
  - security measures
  - access and egress policies for residents, contractors, construction materials, and waste materials

### **Other**

- Provide a copy of residents' requests pertaining to black mould in the building



- Provide a copy of all related hazmat assessments to these requests
- Provide a copy of all related abatement reports

Thank you, we look forward to hearing back from you.

Sincerely,  
The Tenants of Alexander Tower