

**VIA EMAIL & MAIL**

December 22, 2022

To the Owners of Joyce Place, Strata Plan LMS 992  
3362-3376, 3378, 3380, 3382 & 3384 Vanness Avenue  
Vancouver, BC

Dear Sir/Madam:

**RE: STRATA WINDUP – STRATA PLAN LMS 992  
UPDATE FROM LIQUIDATOR**

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The Liquidator would like to provide you with an update on matters that have occurred since its last letter to you dated December 7, 2022.

**Structural and Life Safety Concerns**

As we discussed previously, there have been ongoing issues as it relates to the condition of the eight townhouse units located at 3364-3376 Vanness Avenue, Vancouver, BC (the “**Townhouse Units**”). These issues have been ongoing prior to the appointment of the Liquidator.

RDH Building Science (“**RDH**”) provided recommendations to address immediate structural and life-safety concerns in regard to the Townhouse Units. Part of this recommendation was to perform a hazardous materials investigation and report (the “**Investigation**”) for the Townhouse Units at Joyce Place before additional work is performed. RDH proposed for Alliance EHS Consulting Inc. to perform the Investigation with a quote of \$770. The Liquidator has accepted this proposal and the Investigation has been scheduled for December 22, 2022.

**Insurance**

As discussed previously, the Liquidator has had extensive communications with CapriCMW, the strata corporation’s insurance broker, to obtain an insurance policy for Joyce Place. On December 21, 2022 the Liquidator received an insurance policy proposal from CapriCMW for general liability coverage only. CapriCMW has advised that it believes that coverage for a distressed placement was not available outside of Lloyds of London which is the underwriter of the policy.

The Liquidator has reviewed the insurance proposal (a copy is attached to this letter) and has noted the following major terms of the policy.

- Annual premiums of \$140,000, this was the same amount quoted by BFL Canada Insurance Services Inc. (“**BFL**”) for similar coverage earlier in the year.
- Limits of
  - \$2,000,000 Public Liability
  - \$2,000,000 Pollution Liability

- \$2,000,000 Products Liability
- Deductibles of \$25,000
- Key exclusions are:
  - Exclusion for bodily injury or property damage (including the exclusion of cross liabilities) for strata plan owners
  - Construction Activities exclusions
- No property insurance included

As the annual premiums are the same as the BFL insurance proposal, it is likely that this is the market rate for commercial general liability insurance for a distressed placement such as Joyce Place.

CapriCMW has advised that Property insurance could not be obtained as it was not financially viable for the Strata Corporation.

The Liquidator along with the support of the property manager, Dwell Property Management (“Dwell”) has instructed CapriCMW to bind the insurance proposal which required an immediate payment of \$70,000 or half of the annual premium which Dwell arranged. CapriCMW has confirmed binding instructions have been sent to the insurer to bind coverage effective December 21, 2022.

The Liquidator understands that there may be other issues on the table requiring its attention. However, for purposes of this update, the Liquidator has limited its commentary on the above major items.

Should you have any questions or concerns, please contact the Liquidator’s office at [joyceplace@crowemackay.ca](mailto:joyceplace@crowemackay.ca). You can also get updates with respect to this matter on the Liquidator’s website at [www.joyceplacestrata.com](http://www.joyceplacestrata.com). As a reminder, in an effort to minimize the costs of administration, any and all property related matters, including requests for copies of the insurance policy, should continue to be forwarded to Dwell at [leo.chan@dwelldproperty.ca](mailto:leo.chan@dwelldproperty.ca).

Yours very truly,

**CROWE MACKAY & COMPANY LTD.**

in its capacity as Court Appointed Liquidator of  
The Owners, Strata Plan LMS 992 and not in its personal capacity

per: 

Mr. Derek Lai, CPA, CMA, CIRP, LIT, CFE

Encl.