

10. Re: B.C. Tenants Organization
(Item 7, Report No. 63, October 4, 1971).

The Council received a submission from the Manager on October 4 forwarding reports from Mr. Stewart L. Chambers, Prosecutor, and the Officer-in-Charge of the Burnaby Detachment of the R.C.M.P. pertaining to a complaint from the above concerning the treatment accorded a Burnaby tenant when he endeavoured to lay charges against his landlord for what was considered to be an illegal increase in rent.

The total submission filed by the Manager was tabled until the Municipal Solicitor returned from vacation so that he could possibly provide an indication as to what transpired in the intervening period between the time the complainant saw Mr. Chambers, the Prosecutor, and the date the Tenants Organization wrote to the Department of the Attorney-General (September 20, 1971).

The Solicitor advises that

"The short answer to this inquiry is that I do not know what transpired in the intervening period. I have never spoken to Mr. Jantzen or Mr. Whaley at any time. Apparently one or both of them attempted to see me, but were unable to do so because I was busy with other matters. No one in my office told either Mr. Jantzen or Mr. Whaley that I would not see them at any time.

I wish to point out that it is not the function of the R.C.M.P., or the prosecutor, to decide whether or not any person may lay a charge. Any person can lay a charge if he can satisfy a Justice of the Peace that he has reasonable and probable grounds to believe that an offence has been committed. Since returning to my office on Monday, I have written to Mr. Whaley so advising him and telling him that Mr. Jantzen should appear before a Justice of the Peace if he wishes to lay a charge against his landlord. "

RECOMMENDATION:

THAT a copy of Report Item No. 7, Report No. 63, be forwarded to Mr. Di Castri and Mr. Whaley, together with a copy of this Report Item.