

15. Re: Business Licence - Davies Chimney & Roofing Co. Ltd.

Appearing on the agenda for the September 17, 1973 Meeting of Council was a request from Mr. R. A. Wattie for permission to appear as a delegation for the purpose of appealing the Licence Department's decision to refuse a Business Licence to his client, Davies Chimney and Roofing Co. Ltd. He has advised that he will appear on October 1, 1973.

Following is a report from the Chief Licence Inspector regarding this matter:

|| In February, 1972 we received a complaint from a Mr. Hamaguchi regarding the above named company. He was negotiating with this company for the renewal of eavestroughs and tile drains. The company refused to supply him with a written estimate or contract but, however, gave a verbal price for the job of \$1,000.00. When the work was proceeding a written contract was presented in the amount of \$2,200.00, and upon completion a bill for \$2,600.00 was presented. Mr. Hamaguchi refused to pay this amount and sought the advice of a lawyer. A final settlement of between \$1,400.00 and \$1,500.00 was made. The company did not have a business licence at the time and a charge was laid against the company and Mr. Sawchuk, its president. Each was convicted and fined \$25.00.

In July of this year this company was again discovered doing work in Burnaby, again without a licence. Another charge was laid which resulted in fines of \$50.00 each against the company and Mr. Sawchuk.

After receiving his summons, Mr. Sawchuk applied for a licence, but no decision was made until after he had been convicted and then he was denied a licence.

A perusal of the Better Business Bureau files reveals that they had been receiving complaints about this person and his company since 1966. Most of the complaints concerned unsatisfactory and unfinished work and only after a great deal of "prodding" did the customers achieve satisfaction.

A couple of complaints were similar to Mr. Hamaguchi's and in each case the people engaged lawyers and achieved a considerable saving in costs.

Mr. Sawchuk, on behalf of his company, applied for membership to the Better Business Bureau in January, 1972 and his request was denied.

People, when hiring contractors, should not be faced with having to obtain legal aid in order to get satisfaction. That and the fact that he and his company had been convicted twice in two years for operating without a licence are the reasons that the licence was refused. Section 458(5) of the Municipal Act gives a person who has failed to be granted a licence the right of appeal to the Council, who may, pursuant to Section 455, refuse providing there is a two-thirds majority of all members.

RECOMMENDATION ||

THAT the issuance of a licence be refused.

RECOMMENDATION:

THAT Council confirm the decision to refuse a Business Licence to Davies Chimney and Roofing Co. Ltd.