

ITEM	'19
MANAGER'S REPORT NO.	49
COUNCIL MEETING	1979 07 16

RE: LETTER FROM MR. DAVID J. HO,
2013 HOLDOM AVENUE, BURNABY, B.C. V5B 3W5
REQUEST TO PURCHASE A MUNICIPALLY OWNED PROPERTY ON RATHBURN DRIVE

Appearing on the agenda for the 1979 July 16 meeting of Council is a letter from Mr. David J. Ho regarding his desire to purchase a property on Rathburn Drive that is owned by the Municipality. Following is a report from the Municipal solicitor on this matter.

RECOMMENDATION:

1. THAT the recommendation of the Municipal Solicitor be adopted.

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TO: MANAGER

1979 July 12

FROM: SOLICITOR

SUBJECT: Request from Mr. David J. Ho to purchase a Municipally owned property
Lot 61/9935 Rathburn Drive

RECOMMENDATION:

1. THAT a copy of this report be sent to Mr. David J. Ho,
2013 Holdom Avenue, Burnaby, B.C. V5B 3W5

REPORT

Mr. David J. Ho in his letter to Council expressed a desire to purchase the subject property "over the counter" for the upset price in the amount of \$38,000. The property in question is shown on the attached sketch.

By the way of background information, Council on 1979 April 17 authorized staff to offer twenty-six lots for sale by public tender; one of these was one that Mr. Ho is now interested in purchasing. Council on 1979 May 28, upon being advised of the bids that had been received, adopted the following two recommendations:

- "1. THAT the highest bid for each of the lots indicated be accepted.
2. THAT the lots on which no bids were received be reoffered for sale at an appropriate future date selected by the Municipal Solicitor and subject to review by Council of the minimum prices."

Only one bid was received and accepted on the six lots on Rathburn Drive. The Municipality therefore has five remaining lots to sell on this street in the future. Neither Mr. Ho or any other person, incidentally, submitted a bid on Lot 61 at the time that it was advertised for sale.

Council for a considerable period of time has adhered to the policy of offering properties for sale by public tender, and when no acceptable bids are received, to reoffer such properties by public tender at some later date. Underlying this process is the requirement that upset prices must always be established and approved by Council before properties are placed on the market.

Mr. Ho indicates in his correspondence that the Municipality on occasion may have sold property "over the counter" at the upset price. To the best of our knowledge, and based on a review of files, this has not been done in recent years.

In conclusion, the Municipality of Burnaby has a policy of selling properties that it owns by public tender. This policy has created no problems that can be recalled, and has in fact probably prevented problems from occurring because everyone is thereby given the same opportunity to buy when properties become available on the market. Unless directed to the contrary, staff will follow this policy and therefore not sell properties "over the counter".

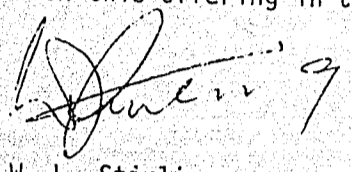
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TO: Manager
(re: Lot 61/9935 Rathburn Drive)

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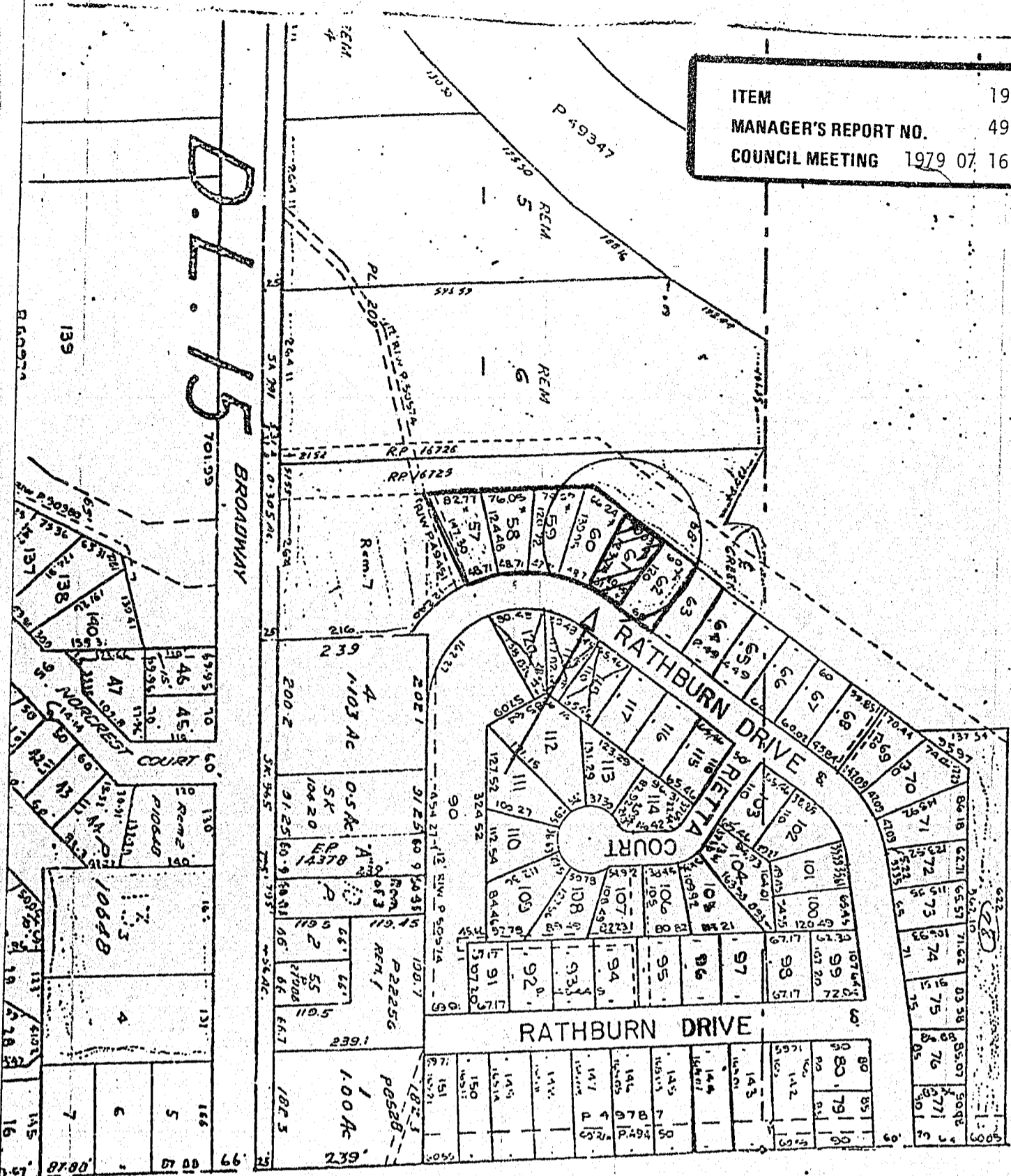
My department is currently preparing a report in which it will be recommended that Lot 61 at 9935 Rathburn Drive, and a number of other lots that are located in other parts of the municipality, be offered for sale by public tender. This report will be submitted to Council on either July 30 or August 13. Mr. Ho will therefore be able to submit his bid in connection with this offering in the near future.



W. L. Stirling
MUNICIPAL SOLICITOR

WLS:nc
Attach.

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NORTH ROAD

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