



## Dispute Notice

(Initiating notice under section 6 of the Civil Resolution Tribunal Act)

**Amended:** February 08, 2021

**Dispute Number:** CS-2020-007170

**Application Submitted:** September 15, 2020

**Dispute Notice Issued:** September 17, 2020

### Notice To - Who the claim is against

These are the people or organizations the claims are against.

**LITTLE MOUNTAIN RESIDENTIAL CARE &  
HOUSING SOCIETY**

### Initiated By - Who requested resolution

These are the people or organizations which have applied to the CRT for dispute resolution.

**LAWRENCE PANG**

**GORDON YEUNG**

## INSTRUCTIONS

A request for dispute resolution has been made to the Civil Resolution Tribunal (CRT). If you are named in this dispute, the CRT may make a binding order against you, which is enforceable as a court order. This order may require you to do something, stop doing something, or pay money to the applicant. Before making any order, the CRT will carefully consider your arguments and evidence. For more information about the Civil Resolution Tribunal, visit [www.civilresolutionbc.ca](http://www.civilresolutionbc.ca).

**The person requesting resolution must provide this Dispute Notice to you by May 10, 2021.**

### HOW TO RESPOND TO THIS DISPUTE NOTICE

**Each person this claim is against has 14 days to respond to this notice once it is delivered** (30 days if outside of BC). If you do not respond, the CRT will continue to resolve the dispute and may make a decision without your participation.

**To respond to this Dispute Notice:**

- Go to <https://intake.civilresolutionbc.ca/response>
- Enter the dispute number **CS-2020-007170** and the PIN listed beside your name below

You will be able to:

- Respond to this Dispute Notice
- Request more time to respond to the Dispute Notice
- After you respond, if needed, you will be able to add a Counterclaim or Third Party Claim

**Initiator Contact**

The CRT will provide a copy of your Dispute Response to:

**LAWRENCE PANG**

Email: [mail1992@netzero.com](mailto:mail1992@netzero.com)

Phone: 3603715275

8123 Comox Loop

Blaine, Washington

98230, US

**Who the Claim is Against**

These are the people or organizations that are identified as being responsible for the claim. For more details go to: [civilresolutionbc.ca/tribunal-process/responding/](https://civilresolutionbc.ca/tribunal-process/responding/)

**LITTLE MOUNTAIN RESIDENTIAL CARE & HOUSING SOCIETY****Type: Organization**

Type of business: Society/Non-profit

Phone: (778) 945-8864

Address:

330 East 36th Ave,

Vancouver, British Columbia

V5W3Z4, Canada

**Organization contact**

Angela Millar

Email: [amillar@littlemountaincare.org](mailto:amillar@littlemountaincare.org)

Phone: (778) 945-8864

330 36th Ave E

Vancouver, British Columbia

V5W 3Z4, Canada

**Dispute Information**

This information has been provided by the person requesting resolution. It shows the claims they are making and what they are asking for.

**Dispute Claim 1****Claim ID**

C-070235

**Claim summary**

We seek a ruling to restore fairness and justice, to curb such behaviors and actions by the Board

**Claim description**

We seek an order for the Board to acknowledge on the LMRCHS website, in a statement agreeable to the Applicants, that the CRT found that some Board actions have violated certain Societies Act and bylaws related to membership issues, such as denial of membership rights, irregularities in processing membership applications, manipulation of membership lists and membership voting at Society general meetings, and that such actions and behaviors constitute defects, errors, irregularities.

We seek an order for the Board to abide by LMRCHS bylaws and Societies Act and operate with fairness, transparency and integrity, and be accountable to members as well.

Irregularities and questionable behaviors (IQB) include:

- (1) A friend of the Society's lawyer showed up at the EGM Nov 15, 2019 and was permitted to register and vote. The president announced that he had admitted him as a member on the morning of the EGM. It was later admitted that 30 new members were accepted on that morning of the EGM. However, only those in the "Board's camp" were told that their memberships had been accepted that morning, and they can attend and vote at the EGM, while others were not informed and hence, did not attend. Besides requiring sufficient notice to members (about EGM), this discretionary membership approval on a non-scheduled Board meeting date is contrary to the information about membership application process provided to Society members.
- (2) The Board stated at AGM2018 & AGM2019 that they published their meeting dates and those were the only dates when they processed membership applications. But the Board did not act accordingly. Prior to and at the AGM2019 (Sep 19, 2019), membership applicants were told that although they have submitted their membership applications, their memberships will be not processed until the Board meets on Sep 27, 2019. However, the Board approved several other new members (of their choice) on Sep 23, 2019, so that they can attend and vote at the EGM that evening.
- (3) Family members who submitted membership applications (prior to Sep 18, 2018 AGM) were invited to attend as members. Upon arrival at the venue, the board chair advised them that they can only attend as guests (not speak or vote) because the Board had decided that their membership applications will only be addressed at their Nov 20, 2018 Board meeting. Previous to this AGM2018, the Board had accepted new members right up to and at the AGM. The Board had decided to deny membership prior to transitioning to the new Societies Act, and after hearing that concerns/issues that those family members had, would be raise at the 2018AGM.
- (4) A few questions added to the membership application (for 2019-2020) will enable the Board to institute new criteria/requirements for membership acceptance. This is contrary to the Membership By-laws. After the Nov 15, 2019 EGM, the Board decided to stop accepting new membership

applications, until they complete a membership review process. The Board returned membership applications (& fees) that had been submitted prior. The Board has refused to accept new members (contrary to the By-laws) after Nov 15, 2019.

(5) With Covid-related restrictions, the Society has set additional conditions for its members to participate and vote at EGM's. E.g. Each members need their own computer and capability to attend by Zoom, to vote at EGM's. Hence, members of the same family who do not have individual computers are restricted to one vote. However, during the voting roll-call, it was observed that certain members that the Board knows, who shared one computer, were each allowed to vote.

(6) At the Sep 23, 2019 EGM (and also at the June 4, 2020 EGM via Zoom), the Board intimidated members who voted against the special resolutions, reproached them for not caring about seniors/residents, and threatened to publish their names. This scared some members, even those who are active community leaders, who feared for their reputation.

(7) Members are usually provided with a membership/renewal form in the announcement of the AGM. However, none was provided for the 2020 AGM (Sep 15, 2020), not even by request. Members need to submit renewal applications by the AGM date, according to the By-Laws. If the Board is continuing to manipulate the membership list and to restrict certain Society members from continuing to be members this way, there will no Society members after the 2020 AGM. Then the Board will be at liberty to change the Society's by-laws without any members' vote, so that the Board can continue to do whatever and however they want.

Such irregularities, pattern of behavior and intentional Board actions in treating members as unimportant

have also been observed for other matters (for another “claim”) e.g. ignoring or not acting to resolve society members concerns and pleadings for improved care services and operations management oversight (as required by Societies Act) to lower risks and liabilities to the Society.

#### **When the person requesting resolution became aware of the claim**

Ongoing irregularities (like the above and others) are not uncommon since being a member in 2018. The Board had allowed a white male member (that they assume was on their side) to receive a voting card but turned away an Asian voter, and told he was not permitted to vote because he was not on the membership list.

<b>Requested Resolution</b>	<b>Amount</b>
1. the Board to publish the findings and decisions of the CRT listing the Board's violation of the Societies Act and bylaws, in the next annual report, and shown on the LMRCHS website for 5 years	\$0.00
2. the Board to publish each and all specific acts of violations of the Societies Act and bylaws in a Statement agreeable to Applicants, to be shown on the LMRCHS website for 5 years	\$0.00
3. the Board to publish admission of violations, including denying membership and voting rights, not following membership application process as per customary practice, and manipulating membership list	\$0.00

4.	the Board to keep all members (listed in a Sep 9, 2020 list) as current members of the Society up to the year-end following the CRT decision date, and nullify those members accepted after Oct 2020	\$0.00
5.	the Board to suspend or nullify any resolutions or revisions pertaining to the bylaws after the AGM 2020 until and after they are voted upon by members in a general meeting	\$0.00
6.	the Board to send a letter of apology to members (since 2013) with the Statement, admitting violations and committing to serve the society with transparency, integrity and accountability to members	\$0.00
7.	the Board to send a formal retraction and letter of apology to those society and family members whom the Board had their lawyers sent letters to threaten legal actions, on baseless grounds	\$0.00
8.	the Board to make minutes, resolutions, etc., (since 2013) of Board and Committee meetings, including drafts, publicly available on the LMRCHS website	\$0.00

9.	the Board to commit to conduct the affairs and operation of the Society, in accordance to its published Mission, Vision and Values, its bylaws, and other statute, regulations and obligations	\$0.00
10.	the Board to respect membership and voting rights and conduct its membership application process with fairness, consistency and transparently, and to never again manipulate membership lists	\$0.00
11.	the Board to not be prejudiced and assume that membership applicants who they do not know have ill will, or, members have spiteful intent when asking questions or offering feedback	\$0.00
12.	the Board to acknowledge that they have a duty to be accountable to their members, and to treat members with some respect, and not summarily consider dissenting views as hinderance	\$0.00

13.	the Board to recognize the integral nature and importance of independence of society members who speak for or represent residents and families of past and current residents and the community	\$0.00
14.	the Board to acknowledge that members matter, and, to act accordingly, to appreciate members' efforts to keep the Board honest and not to consider or characterize them as being disruptive	\$0.00
15.	the Board to keep members informed regularly/monthly of current Society matters and encourage participation and contribution, to welcome feedback, to listen and act to resolve members' concerns	\$0.00
16.	the Board to not introduce or revise membership process, requirements, criteria, and/or extend deadlines on an ad-hoc basis, without an EGM vote, or to serve their own interest or agenda	\$0.00



17.	the Board to not add new criteria or requirements for participating and voting in general meetings to disadvantage or disenfranchise certain members, or for the benefit of their supporters	\$0.00
18.	the Board and Executive Director to not intimidate, retaliate against or bully members who do not agree with them or vote in their favor, or threaten to publish their names for public viewing	\$0.00
19.	the Board to request the resignation of person(s) who counsel or conduct the Society's affairs in ways bordering on being unethical or illicit, or solicit others to collude or be complicit	\$0.00
20.	the Board to perform diligently and responsibly to meet its obligations, to prioritize safety, wellness and care to avoid and mitigate risks and harm, reduce liabilities and ensure sustainability	\$0.00

21.	the Board to ensure that the Society focus on meeting the needs of its clients – residents, family members and the community, provide the oversight necessary, and not serve their personal agenda	\$0.00
22.	the Board to stop such actions / behaviors that will erode the reputation and viability of the Society, reduce the trust of or cause harm to its members, residents, family members and the community	\$0.00
23.	the Board to establish a Board Oversight Committee, specifically to review and report at least quarterly to members on the Board activities and conduct, and ensure compliance to CRT orders, etc.	\$0.00
24.	the Board to also provide as relief, the cost of filing, plus fees paid by the Applicant to the CRT and other expenses and charges allowed under the CRT Rules and the CRT Act, etc, plus interest	\$0.00

25.	the Board to accept other remedies and consequential orders that the CRT believes are fair and just in administering justice and, to hold the Board et al, accountable	\$0.00
		<b>Total: \$0.00</b>

### Additional Dispute Information

#### Steps the person requesting resolution has taken to resolve the claim

The issues and concerns have been brought up prior to and at general meetings. But the board has disparage and stone-walled the matter, and restrict participation, ignored feedback and pleas, provided reasons & excuses to not address concerns, etc.,

### Amendment History

Amendment 01 - February 05, 2021

Amended claims and remedies

Amendment 02 - February 08, 2021

Format edited