



This is the 1st Affidavit of Ashley Cheng  
in this case and was made on October 18, 2023

NO. S236296  
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE *STRATA PROPERTY ACT*, S.B.C. 1998, c.43

and

IN THE MATTER OF THE APPLICATION FOR THE WIND-UP OF  
STRATA PLAN NW2599

BETWEEN:

THE OWNERS, STRATA PLAN NW2599,  
CROWE MACKAY & COMPANY LTD., AS LIQUIDATOR OF  
THE OWNERS, STRATA PLAN NW2599,  
and each the parties set out in Appendix "A" to the Petition

PETITIONER

AND:

VANCOUVER CITY SAVINGS CREDIT UNION,  
RELIABLE MORTGAGES INVESTMENT CORP.,  
TORONTO DOMINION BANK,  
COAST CAPITAL SAVINGS FEDERAL CREDIT UNION,  
ROYAL BANK OF CANADA,  
SCOTIA MORTGAGE CORPORATION,  
COMPUTERSHARE TRUST COMPANY OF CANADA,  
CANADIAN IMPERIAL BANK OF COMMERCE,  
FIRST WEST CREDIT UNION,  
THE BANK OF NOVA SCOTIA,  
THE CROWN IN RIGHT OF BRITISH COLUMBIA,  
CITY OF CHILLIWACK  
and each the parties set out in Appendix "B" to the Petition

RESPONDENTS

**AFFIDAVIT**

I, Ashley Cheng, Legal Assistant, of 1600-925 W. Georgia Street, in the City of  
Vancouver, in the Province of British Columbia, AFFIRM THAT:

1. I am a legal assistant at Lawson Lundell LLP of 1600-925 W. Georgia Street, in the City of Vancouver, in the Province of British Columbia and as such have personal knowledge of the facts and matters hereinafter deposed to, save and except where the same are stated to be made upon information and belief, and, as to such facts, I verily believe the same to be true.

2. Attached hereto and marked as **Exhibit "A"** to this Affidavit is a true copy of a screenshot from the website [www.saleofhazelwoodmanor.com](http://www.saleofhazelwoodmanor.com) (the "**Website**") taken on October 18, 2023. The Petition, supporting affidavits, and the Order of Master Robertson dated September 15, 2023 regarding alternative service have been posted on the Website since September 15, 2023. As additional pleadings have been received by our office, I have arranged to have them uploaded onto the Website

3. On September 15, 2023, I mailed the "Important Notice" about the Petition (the "**Notice**") to the last known address of each owner of a unit in the Hazelwood Manor strata via regular mail. I obtained the mailing addresses from the mailing list provided to Lawson Lundell LLP by Colyvan Pacific Real Estate Management Services Ltd., the property manager for Hazelwood Manor.

4. Between September 15, 2023 and September 18, 2023, I arranged to be delivered by courier and registered mail to the respondents listed in Appendix B to the Petition (the "**Chargeholders**"), at the address for each of the Chargeholders set out in Appendix B to the Petition copies of:

- (a) the Petition;
- (b) the Notice of Hearing filed September 15, 2023;
- (c) the Order of Master Robertson made September 15, 2023; and
- (d) Schedule "A" Important Notice.

(the "**Chargeholder Package**").

5. I am informed by representatives of FedEx and Novex Delivery Solutions, and I verily believe, that the following Chargeholders' addresses were no longer valid:


- (a) First West Credit Union, 6470 201<sup>st</sup> Street, Langley BC; and


(b) Canadian Imperial Bank of Commerce, 33 Yonge Street, Suite 700, Toronto, ON.

(c)

- 6. I spoke to representatives of the financial institutions mentioned at subparagraphs 5(a) and 5(b) above on the phone, and I obtained current addresses for these institutions. I then sent the Chargeholder Package for these institutions to their current addresses.
- 7. I am informed by representatives of FedEx and Novex Delivery Solutions, and I verily believe, that the Chargeholder Package was delivered to all of the Chargeholders in the manner described above.

AFFIRMED BEFORE ME at the City of )  
 Vancouver, in the Province of British )  
 Columbia, this 18 day of October, 2023. )

  
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 A Commissioner for taking Affidavits for )  
 British Columbia. )

  
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 ASHLEY CHENG )

**PETER J. ROBERTS, Q.C.**  
*Barrister & Solicitor*  
 1600 - 925 WEST GEORGIA ST.  
 VANCOUVER, B.C. V6C 3L2  
 (604) 685-3456



# Wind-up and Sale of Hazelwood Manor strata

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This website provides information about the court ordered sale process of Hazelwood Manor, Strata Plan NW2599, located at 9282 Hazel Street, Chilliwack, British Columbia.

This page is for information purposes only and you should consult your professional adviser if you have any questions or are uncertain as to your rights or obligations. This website is not intended to provide you with legal advice. You are entitled and encouraged to seek independent legal advice with respect to your legal rights in this matter.

## Wind-up Petition

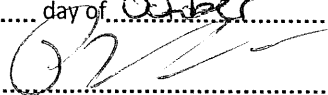
On August 24, 2023, The Owners, Strata Plan NW2599 (the "Hazelwood Manor Strata") held a special general meeting (the "SGM") to vote on a resolution that the Hazelwood Manor Strata be wound up and all the strata lots and common property be sold to Ratzlaff Development Corp. (the "Purchaser"), pursuant to the terms of a Purchase & Sale Agreement dated for reference July 4, 2023 (the "PSA"). The resolution was passed at the SGM as it received a unanimous vote and, being in excess of the 80% vote required under the Strata Property Act, was passed.

The Strata Property Act requires the Hazelwood Manor Strata must apply to the Supreme Court of British Columbia for an order confirming the wind-up resolution and approving the sale of the Hazelwood Manor Strata. On September 12, 2023, the Owners, Strata Plan NW2599 commenced a petition in the B.C. Supreme Court seeking an order confirming the wind-up resolution passed at the SGM and a court order approving the sale of the Hazelwood Manor property to the Purchaser.

The petition hearing date is Monday, October 23, 2023 at 10 a.m. at the B.C. Supreme Court at 800 Smithe Street, Vancouver.

You are entitled to attend this court hearing and make your views known. If you intend to do so, you should file a Response to Petition with the court registry on or before Monday, October 16, 2023, and provide a

This is Exhibit "A" referred to in the affidavit of Ashley Cheng made before me at Vancouver this 18 day of October, 2023

  
 A Commissioner for taking Affidavits  
 within British Columbia

copy by email to legal counsel for the Petitioners, at [hazelwoodmanor@lawsonlundell.com](mailto:hazelwoodmanor@lawsonlundell.com). A link to a blank Response to Petition can be found [here](#).

Links to the Petition, supporting affidavits and other material filed with the court in support of the wind-up are set out below under the heading "[Petition Materials](#)".

### **Petition Materials (in favor)**

1. [Petition, filed September 12, 2023;](#)
2. [Affidavit #1 of J. Sych, filed Sept 12, 2023;](#)
3. [Affidavit #1 of E. Abramovich, filed Sept 12, 2023](#)
4. [Affidavit #1 of D. Lai, filed Sept 12, 2023](#)
5. [Notice of Hearing, filed Sept 15, 2023](#)

### **Response Materials**

1. [Response filed by His Majesty the King in right of the Province of BC, filed Oct 3, 2023](#)
2. [Response filed by Vancouver City Savings Credit Union, filed Oct 12, 2023](#)
3. [Response filed by Scotia Mortgage Corporation and the Bank of Nova Scotia, filed Oct 17, 2023](#)

### **Court Orders**

1. [Order Made After Application, filed Sept 15, 2023](#)

## **Wind-up and Sale of Hazelwood Manor strata**

[hazelwoodmanor@lawsonlundell.com](mailto:hazelwoodmanor@lawsonlundell.com)