

Patrick Lindsay (CA) <patrick.lindsay@pwc.com>

River Run

3 messages

Patrick Lindsay (CA) <patrick.lindsay@pwc.com>

Wed, Nov 17, 2021 at 5:04 PM

To: Terry.wong@calgary.ca

Cc: Deb Buxton <deb@buxton.com>, Jane Lindsay <janelindsay0715@gmail.com>, Kal Sandhu <kal.sandhu@hotmail.com>, Tom M <m155t@protonmail.com>, Gordon Holden <gh@esp-associates.com>, mark h <oilbull@hotmail.com>

Bcc: Emily Struck <emily.struck@outlook.com>, Joel Gaucher <jsgaucher@gmail.com>

Good afternoon Councillor Wong,

As our councillor for Ward 7, we request your assistance to obtain a reimbursement for legal fees incurred by River Run homeowners. We have reasonably incurred such fees due to: (i) a lack of transparency; (ii) conflicting information regarding whether our homes will be destroyed; and (iii) continued pressure to participate in an unfair process.

Lack of transparency

The City has created uncertainty on all sides of River Run for many years. The negative impact of such uncertainty is made worse by a lack of transparency. For example, we first learned that the City intends to run a train through our homes by attending an open house in March 2020. Everything we are aware of regarding the potential impact on, or destruction of, our homes we first learned ourselves by doing our own research, watching the news, reading the paper or from our counsel. For us to learn no material information directly from the City is the opposite of transparent.

Conflicting information

In May 2020, the City website identified that River Run would be expropriated: “*One unfortunate element of this alignment is that it still requires the purchase or expropriation of the River Run condominiums*”. However, we later received a letter from the City’s lawyer stating that the City will not recognize any of our expropriation rights because “*there is no actual or intended expropriation*”. When a government publicly identifies an intention to expropriate, but privately says it will not recognize any of the rights that exist when an expropriation is intended, any reasonable person would want to understand their rights.

Unfair process

For the last 20 months, the City has put pressure on us to participate in acquisition discussions. For discussions to be fair, we requested that the City pay our costs to be reasonably informed regarding our rights and value. Our property is unique and this situation is highly unusual. Rarely does a government intend to destroy an entire family complex. Any person put in this difficult position by a government would want to be informed. The City has expropriation experts, a legal team and valuation experts to navigate this difficult situation. We do not. To date, the City has refused to commit to reimbursing any of our costs while continuing to depict our homes destroyed.

Reimbursement request

In light of this difficult situation, we engaged counsel to: (i) assist the Board to be aware of its rights and obligations; (ii) to assist owners to be aware of their rights and obligations; and (iii) to assist us in communicating with the City.

Please advise if you will consider assisting us to be reimbursed for our reasonable fees, which to date are around \$1,500 per owner. We look forward to hearing from you. We would be happy to have a discussion if that would be helpful.

Regards,

- River Run Board of Directors

Patrick Lindsay (CA) <patrick.lindsay@pwc.com>

Mon, Jan 17, 2022 at 9:56 AM

To: Terry.wong@calgary.ca

Cc: Deb Buxton <deb@buxton.com>, Jane Lindsay <janelindsay0715@gmail.com>, Kal Sandhu <kal.sandhu@hotmail.com>, Tom M <m155t@protonmail.com>, Gordon Holden <gh@esp-associates.com>, mark h <oilbull@hotmail.com>

Good morning Councillor Wong,

We are following up on our November 17, 2021 request for your assistance to obtain a reimbursement from the City for \$27,446 in legal fees. Please confirm whether you received our request and, if possible, provide an indication as to when we may have a response.

Regards,

- River Run Board of Directors

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Tom M <m155t@protonmail.com>

Mon, Jan 17, 2022 at 10:21 AM

Reply-To: Tom M <m155t@protonmail.com>

To: "Patrick Lindsay (CA)" <patrick.lindsay@pwc.com>

Cc: Deb Buxton <deb@buxton.com>, Jane Lindsay <janelindsay0715@gmail.com>, Kal Sandhu <kal.sandhu@hotmail.com>, Gordon Holden <gh@esp-associates.com>, mark h <oilbull@hotmail.com>

Thanks Patrick, appreciated.

Sent from ProtonMail for iOS

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