

<u>REAL PROPERTY</u>										
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total	
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices		Sale Price	Total Award 125% of all Sale Prices:	
						% of Total	Amount		% of Total	Amount
3166.66	162.50								1/3 interest	162.50
<u>PERSONAL PROPERTY</u>										
Motor Vehicles			Boats and Boat Gear							
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing		45% of amount in next preceding column		
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
<u>MISCELLANEOUS CHATELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
<b>TOTAL RECOMMENDATION</b>										<b>162.50</b>

CASE NO: 1038.

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,

May 12th, 1948.

IN THE MATTER OF THE CLAIM OF

UTA & GENICHI OHORI.

PROCEEDINGS AT HEARING.

IN THE MATTER OF THE "INQUIRIES ACT"  
PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

10

Toronto, Ontario,  
 May 12th, 1948.

IN THE MATTER OF THE CLAIM OF  
UTA & GENICHI OHORI.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq., appearing for the  
 Dominion Government.

R.A. BEST, Esq., appearing for the  
 Claimant.

---

A. WATSON, Esq., Secretary.  
 D.J. HANDFORD, Esq., Official Interpreter.  
 T.P. HORROBIN, Esq., Official Reporter.

30

Mrs. Uta Ohori,  
In Chief.

(MRS.) UTA OHORI, the claimant herein, being first duly sworn, testified through the interpreter as follows:

DIRECT EXAMINATION BY MR. BEST:

Q Is that your signature, Mrs. Ohori?

A Yes.

Q And was that document prepared upon your instructions?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. BEST: There seems to be in this case, my lord, a  
10 little question as to the title.

THE COMMISSIONER: What is the nature of the property in respect of which the claim is made?

MR. BEST: It is stores and a rooming house at the corner of Gore Avenue and Powell Street in Vancouver.

THE COMMISSIONER: Yes, one building?

MR. BEST: That is correct, my lord. No, I am sorry, it isn't really. It is a block of buildings separate which was built at various times. They were altogether but it isn't under one roof.

20 Q Mrs. Ohori, these buildings for which you are claiming are at the corner of Powell and Gore Avenue in Vancouver? A: Yes.

Q Actually they are not one building, are they? They are separate buildings?

A Yes, separate buildings.

MR. BEST: If I may draw your Lordship's attention to the comment. It is in the wrong place, I think. It is under the comment re upkeep of premises, "Owned jointly by three brothers. Mrs. Ohori's  
30 husband looked after it personally from 1939

Mrs. Uta Ohori,  
In Chief.

to 1941". I have now received a telegram from Mr. McMaster-- actually it was sent to Mr. McMaster in which he says "Genichi Ohori claims one-third interest in Lot 24, Block 5, District Lot 196," that is these premises, my lord. "Brother Uta Ohori has made claim in Toronto. Our client will rely on evidence given by brother as to value in support of his claim. When Uta's claim heard suggest amend to combine claims".

10 I am prepared to do that.

THE COMMISSIONER: Is this lady speaking for herself or for the brother, or is there a confusion between brother and sister?

MR. BEST: No, my lord. I think the situation is this, Mrs. Uta Ohori's husband has his one-third interest in his wife's name, and that is the reason for Mrs. Ohori being the claimant here, but as I understand it, and I can confirm it, from Mr. Ohori, he admits his brother had a one-third interest.

20 MR. HUNTER: There were three Utas -- Ohoris -- Genichi, Chiyoto, and Uta. They have undivided one-third interests.

THE COMMISSIONER: What about the other brother?

MR. BEST: Q: Has the third brother gone back to Japan?

A Yes.

MR. HUNTER: In that case his interest would be vested in the Custodian.

THE COMMISSIONER: What is the brother's name who wired you?

30 MR. BEST: Genichi. If my friend would like to put in

Mrs. Uta Ohori,  
In Chief.

the appraisal I think I can proceed.

MR. HUNTER: I tender a copy of the appraisal of Loewen & Harvey dated the 27th of November, 1944.

MR. BEST: Q: This was a rooming house which you operated over or above the stores, is that correct, Mrs. Ohori?

A: The upstairs of the premises was rented to someone else, but operated as a rooming house.

(APPRAISAL MARKED EXHIBIT NO. 2).

10 MR. BEST: Yes, so I understand. I don't think there is much elaboration needed in this case. This is a rather large building, but the appraisal and the claim jibe fairly well. I think it is more or less a question of value.

THE COMMISSIONER: May I have the name of the brother who returned to Japan?

MR. HUNTER: Chiyoto is the name, my lord.

MR. BEST: Q: Mrs. Ohori, were there any baths in this building at all? That is, any Occidental type baths?

20 A: She doesn't know. She thinks they are mostly Japanese baths, but she doesn't know definitely.

MR. BEST: There may be one or two questions, my lord, which perhaps the husband could give us the answers on. I don't think there is anything further.

CROSS-EXAMINATION BY MR. HUNTER:

Q Mrs. Ohori, I show you a photograph. Would you tell us what that is of? Is that a photograph of 270 Powell Street and 205 to 205 $\frac{1}{2}$  Gore Avenue?

30

A This is a picture of part of the property. There is another building built to the left, just off the photograph.

Q Will you please answer the question? Is that a picture of 270 Powell Street and 205 and 205 $\frac{1}{2}$  Gore Avenue?

THE COMMISSIONER: It is 260 that is missing from the photograph, is that it?

MR. HUNTER: That is what I believe, my lord.

10 A It is not quite clear to me, my lord.

Q 260 is supposed to be a separate building. This photograph includes everything but 260, that is what I want to know. If it doesn't include 260, where is it in relation to that building?

A Yes, that is so.

Q That is, this shows everything but 260 Powell.

A Yes.

Q And 260 Powell is where in relation to this building -- to the left?

20 A Yes, on the left. It is out of the picture.

MR. HUNTER: I tender that as Exhibit 3, my lord.

(PHOTOGRAPH MARKED EXHIBIT NO. 3).

THE COMMISSIONER: I suppose your defence is a sale at fair market value.

MR. HUNTER: Oh, I am sorry, my lord. It is submitted that this property was sold at its fair market value.

This was advertised for tender under catalogue 184, and in response to the advertisement --

THE COMMISSIONER: When?

30 MR. HUNTER: I haven't the exact date.

Mrs. Uta Ohori,  
Discussion.

THE COMMISSIONER: You have the date of sale, I presume?

MR. HUNTER: Yes. It would be some time probably in July, 1944. In response to that there was an offer or there were three offers from W. Green starting with \$3500.00 working up to \$4250.00, then up to \$8000.00. There was an offer from the Ming Sun Reading Room of \$9000.00, and then a subsequent offer which they increased to \$9500.00. The latter tender was accepted and the property was sold to  
10 four Chinese as of August 7th, 1944, for \$9500.00. I didn't have time to pick out the appraisals, and so on, but I suppose there is quite a history there to get them to accept less than the assessed value.

THE COMMISSIONER: No, it is not less. Their figure was \$8000.00.

MR. HUNTER: I am sorry, I thought it was \$10,000.00. The assessed value in 1944 was land, \$7,410.00, improvements \$5900.00. That would be about  
20 \$13,310.00.

THE COMMISSIONER: That is for 1944?

MR. HUNTER: 1944, my lord. It appears to be entirely a question of valuation, my lord. There are no questions.

MR. BEST: There will be no further testimony, my lord.

THE COMMISSIONER: That is all, thank you, Mrs. Ohori.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

I hereby certify the foregoing to be a true and accurate transcript of the proceedings herein.

30

*J. P. Horrobin*

"T.P. HORROBIN"  
Official Reporter.



Case 1038

NOV 28 1947

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,  
Office of the Custodian,  
Royal Bank Bldg.,  
Vancouver, B.C.

ACKNOWLEDGED

J.W.

7037 Toronto

54 Pursuant to the notice issued on the 26th day of September, 1947, I submit the following claim:

(1) NAME OHORI LITA and Genichi (RCMP) Reg. No. 00405  
(Print) Surname Given Name

(2) Pre-Evacuation Address 641 POWELL ST., VANCOUVER, B.C.

(3) Present Address 200 BEATRICE ST., TORONTO, ONTARIO

(4) REAL ESTATE  
(a) Street Address (if any) 205-223 GORE AVE.,  
260-270 POWELL ST., } VANCOUVER, B.C. Best  
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)  
B148, LOT 20, BLK 5, DL 196

(c) Type of Real Property (cross out words which do not apply):  
RENTED TO PEOPLE IN VARIOUS BUSINESSES AS:  
(i) ~~Farm~~  
(ii) ~~Residence~~ Type of business ROOMING, TAXI OFFICE, BARBER SHOP, SHOE REPAIR  
(iii) ~~Business~~  
(iv) Any other type of property (describe) SHOP, TRANSFER OFFICE, FLORIST, TWO RESTAURANTS.

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) 1/3 INTEREST.

(e) Fair market value at date of sale (estimate this to the best of your ability):  
(i) Land - - - - - \$ \_\_\_\_\_  
(ii) Buildings - - - - - \$ \_\_\_\_\_  
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$ \_\_\_\_\_  
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ 20,000.  
(v) Amount at which Custodian sold property and credited your account - - - \$ 9,500  
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 10,500.

(5) PERSONAL PROPERTY  
(a) Place or places at which property was left by the claimant at date of evacuation \_\_\_\_\_  
(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) \_\_\_\_\_  
(c) How stored or packed at time of evacuation \_\_\_\_\_

(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

(e) Itemized description of personal property which is the subject of the claim:

- |     |       |                    |       |
|-----|-------|--------------------|-------|
| 1.  | _____ | Estimated Value \$ | _____ |
| 2.  | _____ | Estimated Value \$ | _____ |
| 3.  | _____ | Estimated Value \$ | _____ |
| 4.  | _____ | Estimated Value \$ | _____ |
| 5.  | _____ | Estimated Value \$ | _____ |
| 6.  | _____ | Estimated Value \$ | _____ |
| 7.  | _____ | Estimated Value \$ | _____ |
| 8.  | _____ | Estimated Value \$ | _____ |
| 9.  | _____ | Estimated Value \$ | _____ |
| 10. | _____ | Estimated Value \$ | _____ |

TOTAL CLAIM FOR PROPERTY LOSS \$ \_\_\_\_\_

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - - - - - \$10,500. = \_\_\_\_\_

(6) (a) Place at which claimant prefers to be heard. (Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.) (b) Do you require the services of an interpreter at the hearing? Yes or no. YES

TORONTO, ONTARIO.

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA }  
of )  
TO WIT: }

I, Uta Ohori of Toronto of the City in the County of York

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the City )  
of Toronto )  
in the County of York )  
this 15th day of November )  
A.D. 1947. RA Best. )

A Commissioner &c.

*uta ohori*

N.B.— THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C. BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

OHORI, Uta  
(Claimant's Name)

REAL ESTATE  
(Other than farm)

00405  
Reg. No.

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
5 Buildings--stores & rooming house corner Gore Ave. and Powell St., Vancouver.	6 Stores 45 Rooms in rooming house and various stores.	Frame siding Brick front to 3 stores on Gore Ave.	Stores dwellings overhead. & Rooming house.	45 x 124	1926	Apr. 1926.

Type of Locality	Cost Price	Improvements made by Claimant	Widened to 50' at rear. Estimated Value Date of Sale
Commercial	\$20,000.00	Brick front on three stores on Gore Ave. about 1928--cost--\$4000.00 including basement in one store 215 Gore Ave. and concrete foundation. Remodeled store front at 260 Powell St.---concrete floor and foundation in 1937---\$1000.00	

Comments re upkeep of premises:

Owned jointly by three brothers--Mrs. Ohori's husband looked after it personally from 1939-41.

Property kept well painted and in good repair.

Comments re Appraiser's report not covered above:

Stores all rented separately. Rooming house rented separately and all the dwellings.  
During 1941, total rents amounted to about \$211.00 per month. 1941 taxes--\$593.39.  
Very few vacancies in normal times. At one time in twenties, the property produced \$400.00 per month in  
rents. Claimant estimates expenses at \$85.00 per month.

EXHIBIT No. 1038-1  
DATE 12 May 1948  
FILED BY R. a. Best.

*mrs uta ohori*

Signature

LOEWEN &amp; HARVEY LIMITED

1038 - 2

EXHIBIT No. 12 May 1948751 Dunsmuir Street, DATE \_\_\_\_\_  
Vancouver, B.C. FILED BY J.W.G. Hunter

November 27th, 1944.

The Department of The Secretary of State,  
Office of the Custodian,  
(Japanese Evacuation Section)  
506 Royal Bank Bldg,  
Vancouver, B. C.

Dear Sir:-

Re: Catalogue No. 184, 260-270 Powell Street,  
205-205 $\frac{1}{2}$ -215 and 223 Gore Avenue, Lot 20,  
Block 5, District Lot 196.

The above property is on the South West corner of Gore Avenue and Powell Street. It is level with both streets and the 20 foot lane. Gore Avenue runs in a north Westerly, South Westerly direction so that the property has a greater width on the lane than on Powell Street. The Street frontage is 45 feet - the lane frontage 58 feet. Frontage on Gore Avenue is approximately 124 feet and the Westerly boundary 122 feet.

On the street corner is an old three (3) storey frame building without basement. Three stores are on the ground floor. 270 Powell and 205-205 $\frac{1}{2}$  Gore Avenue, all used as living quarters. 260 Powell is a separate three (3) storey frame building containing one (1) store with sink and toilet only. Wiring is in conduit but is not connected from a proper box. The upper floors are in poor condition. At the back of the corner building with entrance from Gore Avenue stairs lead to the upper two (2) floors - which contain twenty (20) rooms, ten (10) on each floor. Plumbing is inadequate, there being one (1) sink and one (1) toilet on each floor and one (1) enamel bath on the third (3rd) floor. All walls and ceilings are of "V" joint, and heating is by one stove on the second (2) floor. Wiring is in conduit. There is an iron fire escape on the Powell frontage. It was not possible to see the roof.

Between the above building and the lane are two (2) buildings. These have been dwellings - but a brick store front has been added, to the lot line - making three (3) stores on the ground floor. These are used as living quarters. Above the stores, in what was the houses, and reached from the lane are two (2) four (4) rooms suites on 2nd floor and two (2) two (2) in the attic. From the lane there is also access to similar accommodation in an old house at the rear of 260 Powell Street. Plumbing throughout these three (3) buildings is limited - consisting of a sink or basin and toilet in each. There are no baths. The lane and upper walls are of narrow siding in poor condition and the roofs are of roll roofing over the singles.

In my opinion a fair valuation as at date of inspection, 22nd November, 1943, is Eight thousand (\$8,000.00) dollars.

Yours faithfully,  
Loewen and Harvey Limited,  
(signed) A. Rout Harvey  
Director.

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.  
July 3rd 1948

*McAlister*

OHORI, Uta  
OHORI, Genichi  
OHORI, Chiyote  
260, 270, Powell St., Vancouver, B. C.  
Evac. File 7037 ✓  
Evac. File 11755  
Int. File 450



EXHIBIT No. 1038-3  
DATE 12 May 1948  
FILED BY  
J. W. G. Hunter

Picture Taken May 3, 1943.