

<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
1500	75.00 12.50									87.50
<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		
						% of Total	Amount		% of Total	Amount
<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 CHATTELS</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	Applica- tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
							% of Total	Amount	% of Total	Amount
TOTAL RECOMMENDATION										87.50

CASE NO: 223

JAPANESE PROPERTY CLAIMS COMMISSION

Vernon, C.B.

April 30, 1948

IN THE MATTER OF THE CLAIM OF

Soya SOGA

PROCEEDINGS AT HEARING.

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

B E F O R E

(HIS HONOUR, JUDGE M.M. COLQUHOUN, SUB-COMMISSIONER)

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Vernon, B.C.

April 30, 1948

IN THE MATTER OF THE CLAIM OFSOYA SOGAPROCEEDINGS AT HEARING20 APPEARANCES:

D.S. McTAVISH, Esq.,

appearing for the
Dominion Government.

A.E. COBUS, Esq.,

appearing for the
Claimant.

T.J. MARRION, Esq.,

Secretary to Vernon
Sub-Commission.

G.N.R. UPTON, Esq.,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter.

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MR. COBUS: Your honour, the first claim is Soya Soga, originally No. 230.

SOYA SOGA, the Claimant herein, being first duly sworn, testified through the official interpreter as follows:

MR. COBUS: Your honour, there is no amendment to be made in the claim form. It is a claim for realty, and realty only.

10 DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I am showing you a statement. Did you ask Mr. Leckie to prepare that statement for you?

A: Yes.

Q: Is that your signature? A: Yes.

MR. COBUS: I file this as Exhibit No. 1, your honour, in this claim.

THE COMMISSIONER: Does he confirm it?

MR. COBUS: I am sorry, your honour.

20 Q: Are the contents of that statement true to the best of your knowledge and recollection?

A: Yes.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: The property which is the subject matter of this claim is a seven room house located at 729 East Cordova Street. It was purchased in 1922 for \$2,000.00. Substantial improvements were made by the claimant since that time amounting in all to \$1,755.00. The most substantial improvement made on this property was that of an addition in the rear of the house which was made

in 1923 at a cost of \$1,000.00. In 1940 he constructed a concrete floor in the main part of the basement at a cost of \$180.00, if I failed to add that. In 1936 he constructed a garage in the rear of the premises, a frame building with a shingle roof. That cost approximately \$200.00. In 1940 also, a new hot air furnace was installed at a cost of \$165.00. In 1941 he replaced an old tin tub with a new porcelain tub which he installed at a cost of \$35.00. In 1941 he rebuilt the back and front stairs at a cost of approximately \$100.00, and again in 1941 he built a fence completely around the property and, at the same time, a boardwalk from the rear of the house to the garage at a cost, again, of \$75.00.

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He estimates the value at the date of sale at \$3,000.00.

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Besides these substantial improvements which have been already related, he says that during the time that he occupied the house he kept it in ordinary repair. In 1942, for instance, the kitchen was repapered, in 1939 the roof was resingled and in 1939 he repaired the chimney.

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He makes the following comments with respect to the appraisal: He says the inside paper was in good condition when he left, that his garage was not old, having been built in 1936 and he having left the property in 1942. He believes that the valuation at \$1600.00 was very much below a fair market price for this property. Then

he adds this comment: Pemberton Realty Company informed him that the rental value was \$35.00 per month. His wife had accepted an offer of \$25.00 per month after he had been evacuated, which Pemberton's said was very cheap.

Finally, he considers that the sale at \$1500.00 as of January, 1944 was very low, and that the property was worth at least \$3,000.00, at the date of sale.

10 I would ask my learned friend to produce the appraisal, which I will file on behalf of my learned friend.

(APPRAISAL MARKED EXHIBIT NO. 2)

MR. COBUS: With respect to that appraisal, your honour, I would point out that the letter itself is dated November 22, 1944, but the opinion given was of a fair valuation at the date of inspection which was August 21, 1943, and I would ask my learned friend to admit that the property was not
20 sold until January 6, 1944.

MR. McTAVISH: That is correct, your honour.

MR. COBUS: Your witness.

I would also ask, your honour, that my learned friend admit that the property was, in fact, sold to the tenants then occupying the premises.

MR. McTAVISH: It was sold to John Pisesky, who was the tenant of the premises, your honour.

It is submitted, your honour, that the real property was sold for its fair market value.

30 I would ask my learned friend to admit the

1943 assessment on the property: the land was assessed at \$500.00, the improvements at \$750.00.

MR. COBUS: That is correct, your honour, subject to proof.

CROSS EXAMINATION BY MR. McTAVISH:

Q: Witness, the address of this property was 729 East Cordova Street, is that correct?

A: Yes.

10 Q: Was that in the former Japanese district of Vancouver? A: I think so.

Q: Was the population in that district before evacuation mainly Japanese? A: About 80% Japanese.

Q: How old was the house? A: I bought it in 1922, but I don't know how old it was.

Q: Was it an old house then?

A: No, it was not.

Q: Was it new? A: It wasn't new.

20 Q: But you don't know when it was built.

A: No.

MR. McTAVISH: That is all, your honour. It is purely a question of value.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

Certified correct and true transcript.

Gordon Hambleton
G. Hambleton
Official Reporter.

I hereby certify that the foregoing transcript purports to be an accurate record of the evidence adduced before me.

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M.M. Colquhoun
"M.M. Colquhoun"
Sub-Commissioner"

DEC - 2 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

13133

Vernon

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

- (1) NAME SOGA SOYA (RCMP) Reg. No. 09491
(Print) Surname Given Name
- (2) Pre-Evacuation Address 729 East Cordova St. Van. B.C.
- (3) Present Address R.R.#2 TERNON B.C.
- (4) REAL ESTATE
 - (a) Street Address (if any) 729 EAST CORDOVA ST, VANCOUVER, B.C.
City or Municipality, Province
 - (b) Legal description (lot number, block number, section number, etc.)
lot = 35
Block = 5 1/2 D.L. 181
Section = 716 78 K.
 - (c) Type of Real Property (cross out words which do not apply):
 - (i) ~~Farm~~
 - (ii) ~~Residence~~ Type of business _____
 - (iii) ~~Business~~
 - (iv) Any other type of property (describe) _____
 - (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.) sole owner
 - (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) - - - - - \$ 3000
 - (v) Amount at which Custodian sold property and credited your account - - - - - \$ 1500
 - (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - - - \$ 1500
- (5) PERSONAL PROPERTY
 - (a) Place or places at which property was left by the claimant at date of evacuation nil
 - (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) nil
 - (c) How stored or packed at time of evacuation nil

(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")

CUSTODIAN 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) - - - - - \$ _____

- (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

VERNON, B.C.

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)
Province of British)
Columbia TO WIT:)

I, Soya Soga
of Vernon

of the R.R. # 2,
in the Province of British Columbia

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 Vernon)
in the Province of British Columbia)
this 18th day of November)
A.D. 1947. Edmund Hayes)

Soya Soga

A Notary Public in and for
the Province of British Columbia
A Commissioner &c.

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.

S. Soja
(Claimant's Name)

REAL ESTATE
(Other than Farm)

09491
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
729 E Cordova St. Vancouver B.C. House 21 x 33 2 stories	7 rooms and bath with kitchen and separate toilet	Frame siding - cement foundation - shingled full basement with cements interior - lath + plaster walls papered 4" x 4" joists - for floors Hot air heating	dwelling	25' x 120' + to a lane in rear	1922	

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value	Date of Sale
Residential area - mostly Oriental -	\$2000.00 cash -	<ol style="list-style-type: none"> Created addition (14 x 20) at rear of house - one story Frame siding - cement foundation - shingle roof - full exterior of basement floor board floors + lath and plaster walls, for floors - hired labour and bought materials - completed in 1923 - cost app'ly 1000.00 Created garage 1936 - 14 x 20 Frame - shingle roof - partly hired and partly own labour and bought materials - cost about 200.00 Constructed concrete floor in basement (major part of house) in 1940 - hired labour and bought materials - cost app'ly 180.00 Installed new hot air furnace in 1940 - cost for furnace and installation about 165.00 New porcelain tub (in place of old tub) installed in 1941 - cost 35.00 Rebuilt back of front stairs in 1941 - cost app'ly 100.00 Built gasp plane walls from rear of house to garage and fence on 4 sides - cost app'ly 75.00 (finished 1941) 	42000.00 house (land and improvements)	

Comments re upkeep of premises:
See improvements opposite.
- all ordinary repairs were
done as required. In addition
kitchen was re-papered in 1942;
roof re-shingled 1939; repaired
chimney 1939 -

Comments re Appraiser's report not covered above:
Inside paper was in good con-
dition when I left. The garage
was not old being built for just
6 years when I left and the roof
and walls were in quite good
condition. I believe that the
valuation at 1600 was very
much below a fair market
price for this property.
Comment - Pemberton Realty
Co. advertisement rental value
was 35.00 per month. My wife
accepted an offer of 25 per month
able had been evacuated, which
Pemberton's said was very cheap.
I consider that the sale at
1500 as of Jan 1944 was very
low and that the property
was worth at least 2000
at the time of sale

S. Soja
SIGNATURE

EXHIBIT NO. 223-1

DATE 30 April 1948

FILLED BY Claimant

LOEWEN & HARVEY, LIMITED

FIRE, CASUALTY, BURGLARY
AUTOMOBILE, PLATE GLASS
INSURANCE

AGENTS FOR
EAGLE, STAR AND BRITISH
DOMINIONS INSURANCE
COMPANY LIMITED
OF LONDON, ENG.

ESTATE AGENTS INSURANCE
MORTGAGES REAL ESTATE

TELEPHONE
MARINE 4341
CODES
A. B. C. 5TH EDITION
WESTERN UNION
CABLE ADDRESS
"LOWHAR"

751 DUNSMUIR STREET
VANCOUVER, B.C.

November 22nd, 1944.

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

Rec'd	NOV 23 1944
File No.	13133
Ans.	✓
Referred	Harvey

Dear Sir:

Re: Catalogue 79, 729 East Cordova Street,
Lot 35, Block 51, District Lot 181.

This lot is on the North side of Cordova Street, between Heatley and Hawkes Avenues, and is 25 x 122 feet. It is level with the street and slopes slightly towards the lane. There is a cement walk to the front and a good wood walk from the back to the lane.

There is a two (2) storey frame house - with narrow siding and shingle roof in good condition. Exterior walls need paint. The full basement 33 x 21 has cement foundation and floor - with good hot air furnace. On the ground floor are entrance hall, living-room, dining-room and kitchen. Paper is loose in the living-room and the kitchen walls are "V" joint to four (4) feet. Behind the kitchen is a large room in which there is an old enamel sink. Stairs lead to an upper hall, off which are three (3) large bedrooms with cupboards, bathroom with bath and basin and separate toilet.

Foundations of the room behind the kitchen are cement blocks below ground level and the storage room under it has wood sills on the ground and wood floor. The basement stairs are shaky. Eaves and downpipes are in fair condition. There is an old garage on the lane, ship-lap walls and poor shingle roof.

In my opinion a fair valuation as at the date of inspection, August 21st, 1943 is \$1,600.00.

Yours faithfully,

Loewen and Harvey, Limited.

A. Rout Harvey
Director.

EXHIBIT No. 223-2
DATE 30 April 1948
FILLED BY Claimant on behalf of Crown