

<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
2500									Special	250.00
<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			
TOTAL RECOMMENDATION										250.00

CASE NO: 977

JAPANESE PROPERTY CLAIMS COMMISSION

Fort William, Ontario.

April 23rd, 1948.

IN THE MATTER OF THE CLAIM OF

YAYE KENNO

FORMERLY

YAYE YADA

PROCEEDINGS AT HEARING

CASE NO: 977

IN THE MATTER OF THE "INQUIRIES ACT"
PART L. 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)

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Fort William, Ontario.

April 23rd, 1948.

IN THE MATTER OF THE CLAIM OF

YAYE KENNO

FORMERLY

YAYE YADA

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PROCEEDINGS AT HEARING

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government
S.M.Cherniack, Esq.,	Appearing for the Claimant.

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A. WATSON, Esq.,	Secretary
D.J. HANDFORD, Esq.,	Official Interpreter.
MARK H. PEARCE, Esq.,	Official Reporter.

Y. Kenno
Discussion
In Chief.

MR. CHERNIACK: I ask leave to amend my lord.

THE COMMISSIONER: Yes.

MR. CHERNIACK: The market value \$4,500.00, the gross sale price as credited \$2,500.00, the loss would be \$2,000.00. There is no chattel claim my lord.

YAYE KENNO, the claimant herein, being first duly sworn testified as follows:

DIRECT EXAMINATION BY Mr. CHERNIACK:

MR. CHERNIACK:

Q Mrs Kenno, I show you this statement, was it prepared in accordance with your instructions?

A Yes.

Q Is this your signature?

A Yes.

Q Are the contents true to the best of your knowledge and recollection? A Yes, I think so.

MR. CHERNIACK: I will file this as exhibit 1 my lord.

(STATEMENT EXHIBIT 1)

MR. CHERNIACK: And on behalf of my learned friend I will file his appraisal as Exhibit 2.

(APPRAISAL EXHIBIT 2.)

MR. CHERNIACK: The date of this appraisal my lord is October 7th, 1943. There is a copy of a letter on my learned friends file, dated November 12th, 1943, wherein the custodian refers to a revised report which repeats the appraisal. May I ask my learned friend whether this is a revised report or or whether there was another one subsequent to this.

Y. Kenno.
Discussion.
In Chief.

MR. HUNTER: That is the only one on this file my lord. If there was a previous one we would have to refer to the master file. It may be that the conversation was verbal. There doesn't seem to be another one.

MR. CHERNIACK: Your lordship will not in Exhibit 1 that the property was purchased in July of 1931 for \$1,000.00 for the two vacant lots. Exhibit 2 shows the appraisers estimate as to the value of the one remaining lot, which is \$250.00 which he tells us is half the assessed value. The premises consisted of two single stores and one large store with three small rooms behind. At the time of evacuation, roof and ceiling of single unit mentioned in appraisal as in need of repairs, was in quite good repair. The whole building was in a fairly good condition when we were evacuated. I consider that the appraisal at \$2,825.00 is much below a fair value for this property. The appraiser values the one lot at \$250.00, the other lot and buildings at \$2,500.00 to \$2,750.00 and in showing the total takes the mean between the \$2,500.00 and the \$2,750.00, making it \$2,825.00. If he had taken the larger figure it would be \$3,000.00

THE COMMISSIONER: When was it sold?

MR. CHERNIACK: I believe in 1944, Sir, sometime.

MR. HUNTER: August 23rd, 1944 my lord.

MR. CHERNIACK: And that is the reason, my lord that I have referred to the fact that the custodian apparently had questioned or reaffirmed the valuation on an

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Y. Kenno
Discussion
In Chief.

occasion subsequent to the original valuation.

THE COMMISSIONER: Where is qheensbury Avenue in relation to Lawnsdale.

THE WITNESS: I think it would be the next main street.

Q Is it parallel to Lawnsdale?

A It runs the same way . The street car line used to run up that way but I think there is no street car line now since I left.

10 Q It lies a little bit West of Lawnsdale?

A East.

Q East of Lawnsdale, half way between second narrows bridge and Lawnsdale. Second Narrow Bridge is all of four miles from Lawnsdale?

A We are about a mile from Lawnsdale

MR. CHERNIACK: As to the remainder my lord it is merely a question of value.

20 MR. HUNTER: It is submitted my lord that this property was sold for its fair market value. I would point out to your lordship that that building which is erected on the one lot encroaches on the second lot five and a half feet and, accordingly, it would be difficult to sell them separately. That is, perhaps, a matter of argument.

THE COMMISSIONER: There is nothing but value in it Mr. Hunter.

MR. HUNTER: No my lord (Witness Aside)

(Proceedings adjourned sine die)

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

Mark H. Pearce
"Mark H. Pearce"
Official Reporter

base 977

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.

107255 ACKNOWLEDGED
Law
H/P

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

HW

(1) NAME YADA YAYE (RCMP) Reg. No. 05990
(Print) Surname Given Name

(2) Pre-Evacuation Address 725 QUEENSBURY AVE., NORTH VANCOUVER, B.C.

(3) Present Address 220 HERON ST., FORT WILLIAM, ONTARIO.

(4) REAL ESTATE

(a) Street Address (if any) NORTH VANCOUVER, B.C. 725 Queensbury Ave
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
LOT 14 & 15 BLOCK 3 DL.273 Gp. 1 PLAN 1063

(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)	- - - - -	\$	<u>5000.00</u> <u>4500</u>
(v) Amount at which Custodian sold property and credited your account	- - - - -	\$	<u>2500.00</u> <u>2500</u>
(f) Loss (This figure is arrived at by deducting item (v) from item (iv))	- - - - -	\$	<u>2500.00</u> <u>2000</u>

(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) - - - - - \$ 2500.00

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

WINNIPEG BUT PREFERS FORT WILLIAM

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 ONTARIO)
TO WIT:)

I, YAYE YADA Kenno of the CITY
of FORT WILLIAM in the ONTARIO

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 FORT WILLIAM)
in the PROVINCE of ONTARIO)
this 22nd day of NOVEMBER)
A.D. 1947.)

Yaye Yada Kenno

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.

Y. KENNO formerly Yada
(Claimant's Name)

REAL ESTATE
(Other than farm)

05990
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
(a) 719-729 Queensbury Ave., North Vancouver, B.C. (Store - 1 story)	2 single stores and 1 large store with 3 small rooms behind.	Frame and stucco - cement foundation -cellars-lath and plaster wall-fir floors - tar and gravel roof.	Stores, and Living quarters behind.	(a) 55 x 125 m - 1 (b) 55 x 125 m - 1 to lane at rear	1931	July
(b) Vacant lot adjoining.	Large store - 4 sinks and 4 toilets.					

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value Date of Sale
This property was the last store in the business locality.	\$1,000.00 for lots as vacant land.	Erected building-see particulars above. My father informed me by letter that the cost of building was \$4,000.00. (Building completed in 1932).	\$4,500.00 (land and buildings)

Comments re upkeep of premises: All necessary repairs were attended to as required.

EXHIBIT No. 977-1
DATE 23 apr 1948
FILED BY Sm b herniack

Comments re Appraiser's report not covered above: At the time of evacuation, roof and ceiling of single ~~room~~ unit mentioned in appraisal as in need of repairs, ~~it~~ was in quite good repair. The whole building was in a fairly good condition when we were evacuated. I consider that the appraisal at \$2,825.00 is much below a fair value for this property.

(2,825.00)

COMMENTS: My father bought this land and erected the store premises. He deeded the property to me in July 1941 and this deed was registered. I rented out the large store (double unit) and one of the single stores (for storage purposes) for 2 years from March 30th, 1942 at a monthly rental of \$35.00. I believe that this property would be at least worth \$4,500.00 at the time of sale by the Custodian in August 1944.

Y. Kenno

Signature

North Vancouver Realty (E. N. Copping) Ltd.

Agents for:

Sun Insurance Office Ltd.
Caledonian Insurance Company
Phoenix Assurance Co. Ltd.
The Century Insurance Co. Ltd.
The Liverpool-Manitoba Assurance Company
Norwich Union Fire Insurance Society Ltd.

143 LONSDALE AVENUE
NORTH VANCOUVER, B.C.

Agents for:

Mercantile Insurance Co.
The Sea Insurance Co. Ltd.
The Casualty Company of Canada
North British & Mercantile Insurance Co. Ltd
British Traders Insurance Co. Ltd.
Alliance Assurance Co. Ltd.

7th. October 1943

Rec'd	OCT 8 1943
File No.	✓
Ans.	✓
Referred	<i>Harop</i>

F.G. Shears Esq.,
Director,
Office of the Custodian,
506 Royal Bank Bldg.,
Hastings & Granville Sts.,
Vancouver, B.C.

Dear Sir,

Re. Cat Nos. 436 and 437

No. 436. Lot 15. A vacant lot, which at half its assessment would have a market value of \$250.00. It would be difficult to dispose of at this time except as an adjunct to the adjoining parcel. XX

The rear platform and overhang of the building on Lot 14, Cat. No. 437 actually extend over on to the above lot about 5.5 feet.

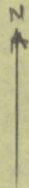
No. 437. Lot 14. One storey frame and stucco store building, with one double and two single units. The double unit (with adjoining single unit used for storage) leased at \$35.00 a month as a grocery store. The remaining single unit is vacant, and in need of considerable repairs to roof and ceiling, and to plumbing. Also the foundations along the front of this building require attention. Value, \$2500.00 to \$2750.00.

Nos. 436 and 437 together, say, \$2825.00 XX

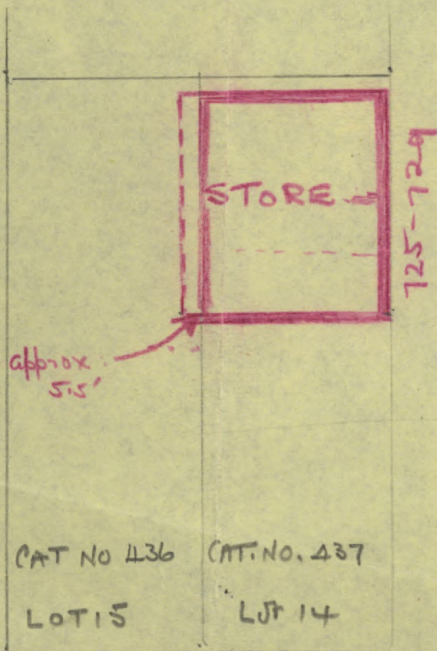
Yours truly,

E. N. Copping

EXHIBIT No. 977-2
DATE 23 Apr 1948
FILED BY D. M. Cherniack



Part of
Block 3 D.L. 273
50' = 1"



CAT NO 436

CAT. NO. 437

LOT 15

LOT 14

Seventh St.

Queensbury Ave.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

PHONE PACIFIC 6131

PLEASE REFER TO

FILE NO. 10725

JAPANESE EVACUATION SECTION

506 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

March 24, 1948.

Miss V. J. White,
Rm. 236,
Court House,
Vancouver, B.C.

Dear Miss White:

We have a claim for Yaye YADA, registration #05990, our file 10725. YADA elects for hearing at Winnipeg but prefers Fort William. I do not find this case scheduled on either of the Winnipeg or Fort William lists. I presume that because of the preference by YADA it will be assigned to Fort William, and I am provisionally treating it accordingly. I should, however, be glad of your confirmation or otherwise.

Yours truly,

P. H. Russell

P. H. Russell,
Office of the Custodian.

PHR/CH

*Now Mrs. Denno - Ft. Sum. #17.
25th Floor Mr. Russell.*