



To: Richmond City Council  
From: Amarjeet S Rattan  
Manager, Business Liaison  
Re: **Holiday Body Care Ltd. - Suspension 10/06**  
Date: October 8, 2006  
File:

**Staff Recommendation**

That Council suspend the business licence of Holiday Body Ltd. care operating from premises located at Unit # 151 – 5951 Minoru Blvd, Richmond, B.C. for the period of 30 days commencing November 6, 2006 to December 5, 2006, both dates inclusive.

Amarjeet S Rattan  
Chief Licence Inspector  
(4686)

<b>FOR ORIGINATING DIVISION USE ONLY</b>		
<b>CONCURRENCE OF GENERAL MANAGER</b>		
<b>REVIEWED BY TAG</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
<b>REVIEWED BY CAO</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

## Staff Report

### Origin

The City of Richmond continues to enforce its Business Licence bylaws and Public Health Protection bylaws with an emphasis on the operating hours and permissive functions within the business complex. This enforcement is part of our continuous effort to promote community, customer and employee safety and to ensure that all businesses are operating in a consistent manner so as to prevent one business gaining an operational advantage over another business in the same business category.

This report will deal with Holiday Body Care Ltd. operating from premises located at Unit # 151 – 5951 Minoru Blvd, Richmond, B.C.

### Analysis

On September 26, 2006, a Show Cause Hearing was held in front of the Chief Licence Inspector. Present were Ms. Hong Yan, the principal owner of Holiday Body Care Ltd., Mr. Kampo Lee, interpreter and business representative for Ms. Yan and Mr. Victor Duarte, City Business Licence Inspector. Mr. Duarte provided both the City and the RCMP information.

Holiday Body Care Ltd. has a valid business licence to operate as a Body Rub Studio. Ms. Yan has operated this business since July 1, 2005.

The following infractions were observed during routine inspections conducted on May 12, 2006 by Mr. Duarte and the RCMP and on June 23, 2006 by RCMP Cpl. D. Au:

DATE	TIME	INFRACTION	SPECIFICS
May 12, 2006	20:50 hrs.	Business Regulation Bylaw 7538 Sec 7.2.1 (c) (ii)	The window to Room #2 was obstructed with a towel from the inside of the room. Municipal Ticket Information No. 15296 issued.
May 12, 2006	20:50 hrs.	Business Regulation Bylaw 7538 Sec 7.3.1 (c)	A female employee was observed nude in the presence of a male patron inside Room # 2. Municipal Ticket Information No. 15295 issued.
June 23, 2006	23:30 hrs.	Business Regulation Bylaw 7538 section 7.3.1 (c)	A female employee was observed nude in the presence of a male patron inside Room #3.

A total of two MTI's were issued on May 12, 2006. All tickets have been paid.

A comprehensive statement from the Business Licence Inspector is attached for Council review. (Attachment 1)

At the Show Cause hearing, a visibly upset Ms. Yan, through Mr. Lee, outlined that she was "sorry for causing so much trouble" and that she was "new to operating this business" and would guarantee these bylaw infractions would not happen again. After the May 12, 2006 incident, written 'Rules of Work' were posted in each room of the premises for the benefit of the employees. She further stated that although the employees are told about the rules, sometime they do not follow them. Ms. Yan stated that the two employees involved in the above noted infractions were both immediately terminated from their jobs.

Having completed the review and taking into consideration, information received from the principal owner, the RCMP and the City's Business Licence Inspector, it is the opinion of the Chief Licence Inspector that this business should have their licence suspended for a period of 30 days.

**Financial Impact**

None

**Conclusion**

Holiday Body Care Ltd. has contravened the City's Business Regulation Bylaw and as such, their non compliance warrants a suspension of 30 days that should be enforced from November 6, 2006 through December 5, 2006 both dates inclusive.



Amarjeet S Rattan  
Chief Licence Inspector  
(4686)

AR:ar

# Show Cause Hearing

## INFORMATION:

**Business:** Holiday Body Care

**Address:** Unit # 151-5951 Minoru Blvd., Richmond, BC

**Ref. File #:** 99156296

**Hearing Date:** Tuesday, September 26, 2006

**Time:** 3:30 p.m.

**Location:** Room M.1.003, Richmond City Hall, 6911 No. 3 Road, Richmond, BC

## HISTORY

Hong Yan has been doing business as Holiday Body Care, in the City of Richmond, since July 1, 2005.

Holiday Body Care is licenced as a Body Rub Studio.

On May 12, 2006, a routine inspection was conducted at Holiday Body Care, by Richmond RCMP, and City of Richmond's Licence Inspector, Victor Duarte. This inspection revealed activities occurring which no business licence could be issued for.

Inspection conducted of room # 2, determined that the window to room # 2 was obstructed with a towel on the inside of the room. This is a violation of the Business Regulation Bylaw No. 7538, section 7.2.1(c)(ii), while room is occupied. Municipal Ticket Information No. 15296, was issued for violation. It was also observed that male patron and female employee were found nude inside room # 2. A second Municipal Ticket No. 15295 was issued under Business Regulation Bylaw No 7538, section 7.3.1(c), for employee failing to wear outer garments not covering the body between the the neck and the top of the knee.

Again, on Friday, June 23, 2006, RCMP Cpl. D. AU, conducted a routine inspection at Holiday Body Care, and observed patron and female employee nude in room # 3. Further violation to Business Regulation Bylaw No 7538, section 7.3.1(c).

In careful consideration of all mentioned offences, it appears that this business continues to operate with blatant disregard to the City of Richmond Bylaws. It is the opinion of the undersigned that a licence suspension could be warranted in order to have this business comply with City of Richmond regulations.



Victor M. Duarte

Business Licence Inspector

VMD:vmd

**Duarte, Victor**

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**Subject:** FW: Hey Vic..

-----Original Message-----

From: David Au [mailto:David.Au@rcmp-grc.gc.ca]

Sent: Thursday, 29 June 2006 11:12 AM

To: Duarte, Victor

Cc: Cecilia McLellan

Subject: Hey Vic..

Hey Vic..

Howya doing?

FYI, On 2006-06-23, at 2330hrs, at Holiday massage, I checked room #3 and found registered worker, Gui Din WANG (dOb: 62-08-02)naked with a male client who was also naked.

Dave

City of  
Richmond

Community Charter

Ref # 99156 M 15295  
296

### MUNICIPAL TICKET INFORMATION

ISSUED TO: YAN HONG - MANAGER

SURNAME OR CORPORATE NAME <b>HOLIDAY BODY CARE</b>		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED)		GENDER M/F	YY MM DD
ADDRESS <b>5951 MNOR BLVD W #151</b>			
CITY <b>RICHMOND</b>	PROVINCE <b>BC</b>	POSTAL CODE <b>V6X 4B1</b>	

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED

DATE OF OFFENCE: **06 05 12** (24hr Clock) AT THE TIME OF: **20:50**

AT OR NEAR: **#151-5951 MNOR BLVD** CITY OF RICHMOND, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW  
**BUSINESS REGULATION BYLAW NO 7538**

DESCRIPTION OF OFFENCE	SECTION	FINE AMOUNT
<b>PERMITS PROVIDE THE WEAR OF WATER GARMENTS NOT COVERING THE BODY BETWEEN NECK AND</b>	<b>7.3.1(c)</b>	<b>\$ 100.00</b>

IF YOU DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO GIVE NOTICE OF DISPUTE:

Richmond Provincial Court  
7571 Enbridge Way  
Richmond, B.C. V6X 2Z8

OR DELIVER, HAVE DELIVERED, OR MAIL A NOTICE OF DISPUTE TO THE ABOVE ADDRESS AS DESCRIBED ON THE REVERSE. THE FINE AMOUNT MAY BE PAID AT THE ABOVE ADDRESS IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

DISPOSITION: NOT DISPUTED

CONVICTED AND FINE SET BY BYLAW IMPOSED

QUASHED

FOR COURT USE

AT TRIAL:  CONVICTED

DISMISSED

FINE AMOUNT IMPOSED \$ \_\_\_\_\_

SIGNATURE OF JUDGE/JUSTICE

BYLAW ENFORCEMENT OFFICER'S NAME OR NUMBER: **VICTOR WASTE**

DATE OF SERVICE: **06 05 12**

AREAS OF THIS TICKET UTILIZED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED

BYLAW ENFORCEMENT OFFICER'S SIGNATURE

IF THE FINE IS NOT PAID OR THE ALLEGATION CONTAINED IN THIS TICKET IS NOT DISPUTED (SEE REVERSE) WITHIN 14 DAYS, THIS TICKET WILL BE TREATED AS NOT DISPUTED, YOU MAY BE CONVICTED IN YOUR ABSENCE AND WITHOUT A HEARING AND, UPON CONVICTION, THE FINE AMOUNT WILL BE IMPOSED FOR THE OFFENCE CHARGED.

COURT COPY

City of  
Richmond  
Community Charter

Ref # 99156296 M 15296

MUNICIPAL TICKET INFORMATION

ISSUED TO: **YAN HONG - owner/manager**

SURNAME OR CORPORATE NAME <b>HOLIDAY BODY CARE</b>		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED)		GENDER <b>M/F</b>	YY MM DD <b>BIRTHDATE</b>
ADDRESS <b>5951 MINORW BLVD - 151</b>			
CITY <b>RICHMOND</b>	PROVINCE <b>BC</b>	POSTAL CODE <b>V6X 4B1</b>	

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED

DATE OF OFFENCE: **06 05 12** (24hr Clock) AT THE TIME OF: **20:50**

ON OR ABOUT: **06 05 12** AT THE TIME OF: **20:50**

AT OR NEAR: **#151-5951 MINORW BLVD** CITY OF RICHMOND, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW  
**Business Regulation BYLAW NO 2538**

DESCRIPTION OF OFFENCE	SECTION	FINE AMOUNT
<b>FAILURE TO KEEP WINDOW NOT OBSTRUCTED</b>	<b>7.2.10(1)</b>	<b>\$100</b>

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO GIVE NOTICE OF DISPUTE:

Richmond Provincial Court  
577 Elmbridge Way  
Richmond, B.C. V6X 2Z5

OR DELIVER, HAVE DELIVERED, OR MAIL A NOTICE OF DISPUTE TO THE ABOVE ADDRESS AS DESCRIBED ON THE REVERSE. THE FINE AMOUNT MAY BE PAID AT THE ABOVE ADDRESS IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

DISPOSITION: NOT DISPUTED

CONVICTED AND FINE SET BY BYLAW IMPOSED

QUASHED

FOR COURT USE

AT TRIAL:  CONVICTED FINE AMOUNT IMPOSED \$

DISMISSED

DATE: YY MM DD

SIGNATURE OF JUDGE/JUSTICE

BYLAW ENFORCEMENT OFFICER'S NAME OR NUMBER: **VICTOR DWARK**

DATE OF SERVICE: **06 05 12**

APPEALS OF THIS TICKET OUTLINED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED

BYLAW ENFORCEMENT OFFICER'S SIGNATURE

IF THE FINE IS NOT PAID OR THE ALLEGATION CONTAINED IN THIS TICKET IS NOT DISPUTED (SEE REVERSE) WITHIN 14 DAYS, THIS TICKET WILL BE TREATED AS NOT DISPUTED. YOU MAY BE CONVICTED IN YOUR ABSENCE AND WITHOUT A HEARING AND, UPON CONVICTION, THE FINE AMOUNT WILL BE IMPOSED FOR THE OFFENCE CHARGED.

COURT COPY

# 工作守則

1. 衣服要求: 严禁穿低胸, 无袖衣服, 裙子要过膝盖.
2. 房间所有门上的窗严禁挂任何衣物, 毛巾.
3. 遵守工作守則, 工作时间严禁在室内吸烟.
4. 本店为正规健康中心, 严禁脱衣服及其它服务.

以上所有事項, 所有工作人員必須嚴格遵守, 如有违例, 公司将给予辞退.

## RULES OF WORK

- 1) Employee's dress code during working hours:  
Low cut clothes, sleeveless clothing are strictly prohibited. Length of skirts must cover both knees.
- 2) The windows of all room doors are strictly prohibited to be covered by towels or clothing.
- 3) Employees have to observe the rules of work. During work, smoking in rooms is strictly prohibited.
- 4) This shop is a legal healthy massage parlor. Every employee is strictly prohibited to undress or provide any other services.

THE ABOVE RULES MUST BE STRICTLY OBSERVED BY ALL EMPLOYEES.  
ANY EMPLOYEE CONFLICTS WITH ANY OF THESE RULES WILL BE  
TERMINATED TO WORK IN THIS PARLOR.

HOLIDAY BODY CARE LTD.