



City of Richmond

Report to Council

To: Richmond City Council

Date: February 5, 2010

From: W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager

File: 12-8275-06/2010-Vol
01

Re: Business Licence Suspension 0708315 B.C. Ltd., dba Atlantis Relaxation

Staff Recommendation

That Council suspend the business licence of 0708315 BC Ltd., doing business as Atlantis Relaxation, operating from premises located at Unit #140-8080 Leslie Road, Richmond, B.C. for a period of 30 days commencing April 1, 2010 through April 30, 2010 both dates inclusive.

W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
(604-276-4136)

Att. 2

FOR ORIGINATING DEPARTMENT USE ONLY			
ROUTED TO:	CONCURRENCE		CONCURRENCE OF GENERAL MANAGER
Law	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	
RCMP	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	
REVIEWED BY TAG	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	REVIEWED BY CAO YES <input checked="" type="checkbox"/>
			NO <input type="checkbox"/>

Staff Report

Origin

The City of Richmond in partnership with all regulating jurisdictions continue to enforce City bylaws with an emphasis on businesses operating within the guidelines of all applicable bylaws, statutes and regulations and the permissive functions within the business regulation regime. These ongoing efforts promote community, customer and employee safety and prevent any business from gaining an operational advantage over another business in the same licenced category.

This report deals with By-Law infractions noted from a routine inspection of 0708315 B.C. Ltd., incorporated November 10, 2004, doing business as Atlantis Relaxation and operating from premises located at 140 – 8080 Leslie Road, Richmond, B.C. Atlantis Relaxation is licensed as an Adult Oriented Use category and must adhere to the Body-Painting/Body-Rub Studio Regulation, Part Seven of the Business Regulation Bylaw No. 7538.

Analysis

On November 07, 2009, at approximately 10:26 p.m., members of the Richmond RCMP, Corporal Lee, Constables Leung, Mushi and Baird conducted a routine inspection of Atlantis Relaxation during which Corporal Lee found Atlantis Relaxation to be operating in violation of the Business Regulation Bylaw, specifically, section 7.3.1(c), which states

7.3 Operator Prohibitions

7.3.1 An operator of a **body-painting/body-rub studio** must not:

- (c) permit any person engaged in providing a **body-rub** or other service to be in such premises *unless such person is wearing* clean, washable, non-transparent outer garments, covering his or her body between the neck and the top of the knee, the sleeves of which must reach below the elbows;

Further investigation by these officers disclosed activities occurring which is not endorsed under any licence category. This information was forwarded to City of Richmond Licence Inspector, Victor Duarte and Municipal Ticket Information (MTI No. 21958) was issued to Atlantis Relaxation under section 7.3.1 (c), which carries a fine of \$100.00. This fine was paid on December 08, 2009.

Since opening for business in Richmond on June 2, 2008, Atlantis Relaxation has been issued MTI's for the same offence on June 16, 2008, August 2, 2008 and August 26, 2009.

Staff considers the activities occurring during the by-law violations warrant Council's consideration under Section 15.1.e of the Community Charter which provides for suspension or cancellation of a licence for:

- (i) failure to comply with a term or condition of a licence or
- (ii) failure to comply with a bylaw.

On January 20, 2010 a Show Cause meeting for business licence discipline was held in front of the Chief Licence Inspector. Present were Mr. Shuwei Sun, the licensee / owner, his Manager and their legal counsel. Corporal Simon Lee, Constable Billy Leung and Constable Ian Baird of the Richmond Detachment RCMP and Mr. Victor Duarte, Licence Inspector for the City of Richmond were also in attendance.

Mr. Duarte provided a comprehensive overview of the violations outlined in the appended Show Cause Meeting information. (Appendix 1) Corporal Simon Lee, Constables Leung and Baird provided information to the Chief Licence Inspector as to the findings of the inspection conducted on November 07, 2009.

Atlantis Relaxation was provided an opportunity to seek clarification on the information presented and invited to submit a written response to the information presented at this meeting.

On February 02, 2010, the City received a submission dated January 27, 2010 from the legal representative for Atlantis Relaxation. (Appendix 2) The submission admits to the three previous incidents and speaks to the companies' misapprehensions being a consequence of a poor understanding of the English language and the Directors not taking the nature of the violations seriously. Further, it lays out a program to address the violations and requests a grace period of six months to a year to implement.

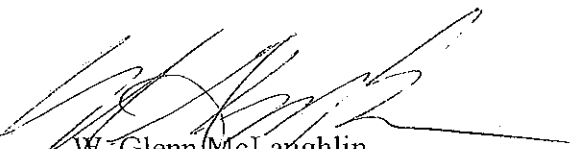
Having completed the review and taking into consideration information received from Atlantis Relaxation, the RCMP and the City's Licence Inspector, it is the opinion of the Chief Licence Inspector that this business should have it's license suspended for a period of 30 days.

Financial Impact

None

Conclusion

Atlantis Relaxation has contravened the City's Business Regulation Bylaw on four separate occasions over an eighteen month period and as such, their non-compliance warrants a suspension of 30 days that should be enforced from April 1, 2010 through April 30, 2010, both dates inclusive.



W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
(604-276-4136)

WGM:vmd

Show Cause Meeting

Appendix 1

INFORMATION:

Business: 0708315 BC Ltd. dba:

Atlantis Relaxation.

Address: 8080 Leslie Road – Unit # 140, Richmond, BC V6X 3W1

Ref. File #: 961537

Meeting Date: Wednesday, January 20, 2010

Time: 2:00 p.m.

Location: Room M.2.001, Richmond City Hall, 6911 No. 3 Road, Richmond, BC

History:

0708315 BC Ltd., doing business as and here after referred to as “Atlantis Relaxation” operates an Adult Oriented Use (AO) category business, sub-category of Body-Rub Studio and must adhere to the Body Rub Studio Regulations, Part Seven, of the Business Regulation Bylaw No 7538.

The owner, Shuwei SUN and his wife, Yuan (Lucy) LU, have managed Atlantis Relaxation since June 02, 2008, operating at 8080 Leslie Road – Unit # 140, in the City of Richmond, Province of British Columbia.

In the year and a half, approximate time frame, Atlantis Relaxation has operated, four Municipal Ticket Information (MTI) have been issued for the same offence of the Business Regulation Bylaw No 7538, section 7.3.1(c), described as, “*permitting the wearing of outer garments not covering the body between the neck and the top of the knee.*”

Current Information:

On November 07, 2009 at or about 10:38 p.m., Members of the Richmond RCMP Police, Corporal LEE, Constables LEUNG, MUSHI and BAIRD, attended Atlantis Relaxation at 8080 Leslie Road, Unit # 140, for a routine inspection to ensure compliance of the Body Rub Studio Regulations. The following is a narrative of this inspection.

During this inspection, an employee was noted to be naked inside the room with the customer. This is a violation of the Business Regulation Bylaw No 7538, section 7.3.1(c), which states; An operator of a body-painting/body-rub studio must not permit any person engaged in providing a body-rub or other service to be in such premises unless such person is wearing clean, washable, non-transparent outer garments, covering his or her body between the neck and the top of the knee, the sleeves of which must reach below the elbows.

Corporal LEE observed through the glass of room identified as #3, two naked occupants inside the room. RCMP identified the occupants and Constable BAIRD spoke with male patron who advised Cst. BAIRD that he had been charged \$50.00 for a 45 minute massage and an additional \$140.00 for services not covered under any licence category. Cst. BAIRD also reported to finding an empty condom package inside room #3.
(Will Say) Cpl LEE – Attachment 1

**CNCL - 4
(Special)**

On December 03, 2009, Licence Inspector Victor DUARTE, attended at Atlantis Relaxation and issued (MTI), No M 21958. Based on the Will Say statement of Corporal LEE, under section 7.3.1(c), described as, "*permitting the wearing of outer garments not covering the body between the neck and the top of the knee.*" this carries a fine of \$100.00, which was paid on December 8, 2009. (Copy of MTI) – **Attachment 2**

DUARTE received an email from Yuan (Lucy) LU on December 4th, 2009. LU's email contradicts RCMP reporting of what transpired during inspection. (Copy of email) – **Attachment 3**

DUARTE delivered a copy of the letter, dated December 16, 2009, to appear at Licence review and provided a copy of RCMP Will Say statement of Cpl. S. LEE. LU contacted DUARTE by telephone and apologized for her email and stated that she went by information received by her husband and staff and acknowledged Police information as credible stating, "I know Police would not lie". LU stated this was not the first time going through this and would have to bare the consequences of her businesses actions.

June 16, 2008 – approximately 2 weeks after business licence application received for change of ownership and change of operating name to Atlantis Relaxation, business received the first MTI, M 15491 for the same offence under section 7.3.1(c) of the Business Regulation Bylaw No 7538 (Copy of Inspection Report) – **Attachment 4** (Copy of MTI) – **Attachment 5**

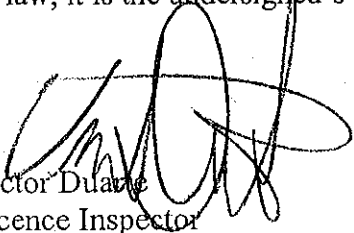
August 02, 2008 – Site inspection conducted by the Joint Inspection Team and employee was found naked inside a room with a customer. MTI M 15498 issued for violation of section 7.3.1(c), of the Business Regulation Bylaw No 7538 (Copy of Inspection Report) – **Attachment 6** (Copy of MTI) – **Attachment 7**

August 26, 2009 – Site inspection conducted by DUARTE at this business and employee found in room wearing her undergarments only straddling customer. MTI M 14611 issued for violation of section 7.3.1(c), of the business Regulation Bylaw No 7538. (Copy of Inspection Report) – **Attachment 8** (Copy of MTI) – **Attachment 9**

It is apparent that the intent of this business is to conduct activity or endorse activity which is not acceptable under any licence category.

The City of Richmond continues to enforce bylaws with emphasis on businesses operating within the guidelines of all applicable bylaws, statutes and regulations within the business premises. These ongoing efforts are in order to promote customer and community safety.

A licensee, operator, or any other person who violates or who causes or allows any provisions of the Business Licence Bylaw, Business Regulation Bylaw, or fails to comply with the provisions of any other bylaw or statute, is deemed to have committed an infraction of the Business Licence Bylaw No 7360 or the Business Regulation Bylaw No 7538 and could result in the suspension or cancellation of the licence. In careful consideration of the severity and noted infraction of the Business Regulation Bylaw and the Business Licence Bylaw, it is the undersigned's belief that a licence suspension or cancellation is warranted.



Victor Duarte
Licence Inspector
City of Richmond

ATTACHMENT 1

Page 1

RICHMOND RCMP

085777 LEE, SIMON

Case: GO 1401 2009-36668

BYLAW-OTHER
DETAILS OF EVENT
OCCURRENCE REPORT

2009-Nov-07
22:38 hours:

Cpl. LEE, Cst. BAIRD, Cst. LEUNG and Cst. MUSHI attended Atlantis Massage Relaxation Center located at 140-8080 Leslie Rd to conduct an inspection in order to ensure that they were complying with city bylaws.

Cpl. LEE, Cst. LEUNG and Cst. MUSHI were in plainclothes while Cst. BAIRD was in uniform. Cst. LEUNG and Cst. MUSHI approached the front door of the business while Cpl. LEE and Cst. BAIRD stood at the rear door. The doors to the business were generally locked and employees from within had the ability to view and monitor patrons who were standing outside before allowing them entry inside. While Cpl. LEE and Cst. BAIRD were standing at the rear, an Asian male opened the door, smiled and motioned for them to enter.

Cpl. LEE was initially confused as Cst. BAIRD was wearing a full police uniform and in past inspections, employees were usually not very friendly when police attended.

While walking through the hallway towards the front entrance, Cpl. LEE heard a doorbell continuously chiming. He believed this to be the male employee alerting the female masseuses that the police were present. During past inspections, an employee who was not a masseuse (usually the manager on duty or the owner) would have in their possession a remote control device. This device would control either the doorbell or the lights within each room that would alert the masseuses. Cpl. LEE continued to follow the male with Cst. BAIRD behind him and realized that he most likely did not recognize Cst. BAIRD as a police officer as it was very dark in the hallway.

Cpl. LEE walked up to a room identified as #3 and looked over the frosted portion of the glass in the door. Cpl. LEE observed a naked East Indian male sitting on the massage table putting his underwear on and a naked Asian female standing and in the process of putting on a one-piece dress over her head. Cpl. LEE immediately opened the door and advised the male that Cst. BAIRD would be speaking with him after he was fully dressed.

Cpl. LEE followed the male to the front of the business where he opened the door allowing Cst. LEUNG and Cst. MUSHI inside. The male stated that he was the boss and identified himself by a British Columbia driver's licence as Shu Wei SUN. SUN stated that there were a total of 3 female masseuses working and 2 male patrons present in the business.

Cst. BAIRD advised Cpl. LEE that the male had been charged \$50.00 for a 45 minute massage and an additional \$140.00 for sexual services (intercourse). Cst. BAIRD also advised that he observed an empty Lifestyles condom wrapper

**CNCL - 7
(Special)**

Case: GO 1401 2009-36668

BYLAW-OTHER
DETAILS OF EVENT
OCCURRENCE REPORT

on top of some female clothing in a drawer in room #3. The male was identified and allowed to leave in a taxi while police continued to speak with SUN and the other employees. Cpl. LEE advised SUN that he would be completing a detailed police report for submission to the City of Richmond and that Victor Duarte would be contacting them shortly.

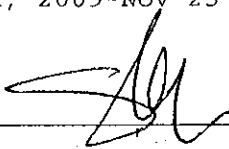
Copy of report forwarded to Duarte for further enforcement action.

CONCLUDED HERE

Cpl. LEE
47590
Airport Crime Unit (ACU)
Richmond RCMP

Author: LEE, SIMON
Related date: Wed, 2009-Nov-25 1616

Signatures: _____



(Thu.) 2009-Nov-26

Attachment 2

Ref #
961537

City Hall
6911 No. 3 Road
Richmond, BC
604-276-4000
GST# R121454003

Front of House Cashier: 339
#17-0062399 Dec 8 2009 - 4:32PM

10 Licence - Vehicle Commercial \$100.00
m21958

SubTotal: \$100.00
GST: \$0.00
PST: \$0.00

Total Due: \$100.00

Payment: Cash \$100.00



City of Richmond

Community Charter

Ref #

M 21958

MUNICIPAL TICKET INFORMATION

ISSUED TO: YUAN LU - M21958 310Z

SURNAME OR CORPORATE NAME ATLANTIS MASSAGE		<input type="checkbox"/> YOUNG PERSON
GIVEN NAMES (OR CORPORATE NAME CONTINUED) RELAXATION CENTER		

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

ON OR ABOUT 09/11/09 AT THE TIME OF 22:38
 AT OR NEAR 8080 LESLIE RD - UNIT #140 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
PERMITTING THE WEAR OF OPEN GARMENTS NOT COVERING THE BODY BETWEEN THE NECK	7.3.1(a)	\$100

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

Attachment 3

Duarte, Victor

From: Yuan Lu { ㄣ * 3]
Sent: December 4, 2009 1:11 PM
To: Duarte, Victor
Subject: Atlantis Relaxation Massage Center: Police Check On Nov7, 2009

Dear Victor Duarte,

This is Lucy from Atlantis Relaxation Massage Center. Regarding the ticket you gave to me yesterday, I really want you to hear my side of the story.

On Nov 07 2009 around 10:30 pm, four police officers, one with uniform and the others undercover, went to our business. They broke into room 3 and found a midle-aged East Indian client and one employer inside. The business owner Shuwei Sun followed them to the room and saw the client was sitting on the massage table with underwear but the employer dressed properly. The officer with uniform asked the client what he was doing. The client told he paid \$140 to the girl for extra service. The girl totally denied it and said the client was drunk and tried to touch her and offered a deal but she just gave him the massage. The officer searched the whole room immediately; however, he did not find any evidence. Then he rudely questioned the girl and asked the girl to give the money back and forced the business owner to refund the session fee.

Here I have three concerns:

1. The client was drunk. The officer could tell that easily but he trusted the client was telling the truth and the girl was telling the wrong.
2. The officer seached the room, including all the draws, cupboard and underneath of the massage table. Is this a proper behavior?
3. What is the rationale for refunding the client? The client paid \$50 for 45min massage and the session was almost done. For the girl, she did not get the money.

I am very concerned about the business and deeply feel being treated unfairly. I hope you will investigate and find what exactly happened. Looking forward to your kind reply.

Yours Sinerely,

Lucy

Get a great deal on Windows 7 and see how it works the way you want. [Check out the offers on Windows 7now.](#)

**CNCL - 10
(Special)**



City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

Inspection Report
Business Licence Division

(604) 276-4000 Fax (604) 276-4157

Business Name: ATLANTIS RELAXATION
Address: 8080 LESLIE RD - unit #140
Owner: SHU WEI SUN YUAN (LUCY) LU
Owner's Telephone No.: L* [redacted]
Licence No. (if any): 961537

Reason for Inspection:

CHANGES OF OWNERSHIP - PROVIDE COPY OF REGULATIONS.

Action Taken:

JUNE 16, 2008 - 14:32 - SITE INSPECTION CONDUCTED AT ABOVE NOTED LOCATION BY V DUADE, LICENCE INSPECTOR FOR THE CITY OF RICHMOND. DUADE KNOCKED THREE APPROX 45 SEC TO 1 MIN DELAY. ADDITIONAL 45 SEC - 1 MINUTE DELAY IN OPENING FRONT DOOR. DUADE COULD HEAR BUS PROBABLY AND CUSTOMERS AND NOT CONFORMING TO BYLAWS BECAUSE OF DELAY IN OPENING DOOR. OWNER, SUN SHU WEI OPENED DOOR AND DID NOT ACT SURPRISED TO SEE DUADE. DUADE APPROACHED FIRST ROOM - ROOM WAS DARK INSIDE WITH LIGHTS OFF. ROOM DOOR CLOSED IN VIOLATION OF REGULATIONS. DUADE OPENED DOOR'S MOLE CLIENT WAS GETTING DRESSED IN THE DARK VERY QUICKLY. DUADE MOVED DOWN TO EMPLOYEE ROOM AND TWO FEMALES IN THE ROOM. ONE FEMALE IDENTIFIED AS L* [redacted] - FULLY DRESSED BLACK TOP & JEANS. DUADE ASKED IF SHE WAS IN THE ROOM WITH THE CUSTOMER. L* [redacted] STATED "NO" 2ND FEMALE WEARING A "TEDDY" JUST BARELY COVERING NEAR CROTCH AREA. TEDDY WAS TUCKER INTO PANTS AT BACK AREA. DUADE BELIEVES THIS FEMALE IDENTIFIED AS L* [redacted] WAS IN ROOM WITH CUSTOMER & QUICKLY GOT DRESSED

or at least pulled up her pants and managed
to pull up onto her "teeddy" I started
saying she was going to have a nap. Duarte
warned [*] to save it, Don't live to me; [*]
started sorry. Duarte asked Sun if he understood
the regulations of Body RMB studios. Sun
stated he did. Duarte issued MTR 15491
under sec. 703.1 (c) permitting the wearing
of outer garments not covering the body
between the neck & top of the knee MTR
left with Sun. Duarte warned Sun if he
continues to delay in opening the door in
future inspections he could be subject to
suspension. Sun apologized.

City of Richmond
 File Ref 96-1537 M 15491

Community Charter
MUNICIPAL TICKET INFORMATION

ISSUED TO: SUN, SHU WEI

SURNAME OR CORPORATE NAME ATLANTIC RELAXATION		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED)		GENDER M/F	YY MM DD BIRTH DATE
ADDRESS #140-8080 LESLIE RD			
CITY RICHMOND		PROVINCE BC	POSTAL CODE V6X 4A8

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

ON OR ABOUT 08/06/16 AT THE TIME OF 14:38
 AT OR NEAR #140-8080 LESLIE RD CITY OF RICHMOND,
 STREET ADDRESS PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW
Business Regulation BYLAW NO 7538

DESCRIPTION OF OFFENCE	SECTION	FINE AMOUNT
Permitting the wearing of other garments not covering the body between the neck and top of the	7.3.1(K)	\$100.00

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
 7577 Elmridge 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: <input type="checkbox"/> NOT DISPUTED <input type="checkbox"/> CONVICTED AND FINE SET BY BYLAW IMPOSED <input type="checkbox"/> QUASHED	FOR COURT USE <input type="checkbox"/> TRIAL <input type="checkbox"/> CONVICTED <input type="checkbox"/> FINE AMOUNT IMPOSED \$ _____ <input type="checkbox"/> DISMISSED	DATE YY MM DD
---	--	------------------

SIGNATURE OF JUDGE/JUSTICE

BYLAW ENFORCEMENT OFFICER'S NAME OR NUMBER V. 1008	DATE OF SERVICE 08/06/16
---	-----------------------------

AREAS OF THIS TICKET OUTLINED IN BOLD BLOCK ARE NOT PART OF THE OFFENCE CHARGED

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

Attachment 5

Ref # 961537
 **** Duplicate Receipt ****

City Hall
 6911 No. 3 Road
 Richmond, BC
 604-276-4000
 GST# R121454003

Permit Counter #49-0027420

Cashier: 338
 Jun 17 2008 - 10:27AM

1@ Fines - Bylaw M 15491 Sun Shu Wei \$100.00

SubTotal: \$100.00
 GST: \$0.00
 PST: \$0.00

Total Due: \$100.00

Payment: Cash \$100.00





(604) 276-4000 Fax (604) 276-4157

Business Name: ATLANTIS RELAXATION
Address: 8080 LESLIE RD UNIT #140
Owner: SHU WEI SUN & YUAN (LUCKY) LU
Owner's Telephone No.: C*
Licence No. (if any): Ref # 961537

Reason for Inspection:

ROUTINE SITE INSPECTION - JIT

Action Taken:

08-08-02-0:28- SITE INSPECTION CONDUCTED AT ABOVE NOTED LOCATION BY JOINT INSPECTION TEAM. ON APPROACH TO FIRST ROOM ON RT DWARTE OBSERVED FEMALE OCCUPANT NAKED AS SHE PULLED DOWN A RUBER DRESS OVER HER HEAD. EMPLOYEE IN ROOM WITH CUSTOMER. EMPLOYEE REGISTERED AND IDENT AS C* [TWO OTHER EMPLOYEES FOUND IN PREMISE AS WELL C*] FOUND IN FIRST ROOM ON LEFT WITH CUSTOMER. THIRD EMPLOYEE C* [EMPLOYEE FOUND IN EMPLOYEE ROOM. OWNER SHU WEI SUN AND HIS WIFE YUAN (LUCKY) LU ALSO ON SITE. MTT 15498 ISSUED FINE OF \$100.00 BUSINESS REGULATION BY LAW NO 7538. SEC 7.3.1(K) FOR PERMITTING THE WEARING OF OUTER GARMENTS NOT COVERING THE BODY BETWEEN THE NECK & TOP OF THE KNEE.

City of Richmond
Community Charter
M 15498

MUNICIPAL TICKET INFORMATION

ISSUED TO: ATLANTIS RELAXATION
SURNAMES OF CORPORATE NAME
GIVEN NAMES (OR CORPORATE NAME CONTINUED)

YOUNG PERSON

DATE OF OFFENCE: 08/09/01 AT THE TIME OF: 0:37

ON OR ABOUT: 8880 LESLIE RD - #140

STREET ADDRESS: BUSINESS REGULATION BYLAW NO 2538

PROVINCE OF BRITISH COLUMBIA

CITY OF RICHMOND

DESCRIPTION OF OFFENCE	SECTION	FINE AMOUNT
PERMITTING TRADE WAREHOUSE OF OUTDOOR GARMENTS NO COVERING THE BODY BETWEEN THE NECK AND TOP OF THE KNEE	73.1B	\$100.00

IF THE FINER 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 AND YOU MAY BE CONVICTED IN YOUR ABSENCE AND WITHOUT A HEARING AND, UPON CONVICTION, THE FINE AMOUNT WILL BE IMPOSED FOR THE OFFENCE CHARGED.

ALLEGED OFFENDER'S COPY

Ref # 961537 M 15498

MUNICIPAL TICKET INFORMATION

ISSUED TO: ATLANTIS RELAXATION
SURNAMES OF CORPORATE NAME
GIVEN NAMES (OR CORPORATE NAME CONTINUED)

YOUNG PERSON

DATE OF OFFENCE: 08/09/01 AT THE TIME OF: 0:37

ON OR ABOUT: 8880 LESLIE RD - #140

STREET ADDRESS: BUSINESS REGULATION BYLAW NO 2538

PROVINCE OF BRITISH COLUMBIA

CITY OF RICHMOND

DESCRIPTION OF OFFENCE	SECTION	FINE AMOUNT
PERMITTING TRADE WAREHOUSE OF OUTDOOR GARMENTS NO COVERING THE BODY BETWEEN THE NECK AND TOP OF THE KNEE	73.1B	\$100.00

CNCL - 15 (Special)

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
6911 No. 3 Road
Richmond, BC V6Y 2C1

Inspection Report
Business Licence Division

(604) 276-4000 Fax (604) 276-4157

Business Name: ATLANTIS RELAXATION
Address: 8080 LESLIE RD - Unit #140
Owner: SHUWEI SUN & LUCY LU
Owner's Telephone No.: [REDACTED] * [REDACTED]
Licence No. (if any): Ref # 961537

Reason for Inspection:
SITE INSPECTION.

Action Taken:
09-08-26-12:46 - DUANT, ATTENDED AT ABOVE NOTED BUSINESS. EMPLOYEE FOUND IN ROOM #2 WITH CUSTOMER. EMPLOYEE STANDING CUSTOMER ONLY WEAR PANTIES AND BRA - BOTH BLUE LACK MATERIAL - 4 STAFF ON SITE; OWNER LUCY LU & 3 STAFF - 2 IN EMPLOYEE ROOM - [REDACTED] * [REDACTED] FOUND IN ROOM #2 WITH PATRON, 3 MALES - CUSTOMERS IN BACK ROOM. LU STATES CUSTOMERS JUST ENTERED FROM BACK DOOR & WAITING. MTL 14611 ISSUED SECTION 2.3.1(c) - \$100 FINE.

Attachment 9

City of Richmond

Community Charter

Ref # 961537 M 14611

MUNICIPAL TICKET INFORMATION

ISSUED TO: LUCY LU.

Ref # 961537

SURNAME OR CORPORATE NAME ATLANTIS RELAYATION		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED) 0708315 BC LTD		GENDER M/F	YY MM DD RETURNS
ADDRESS 8080 LESLIE RD - UNIT #140			
CITY RICHMOND	PROVINCE BC	POSTAL CODE V6X 3W1	

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

ON OR ABOUT **09 08 26** AT THE TIME OF **12:46**

AT OR NEAR **8080 LESLIE RD - #140** 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
PERMITTING THE WEARING OF OUTER GARMENTS NOT COVERING THE BODY BETWEEN THE NECK AND THE TOP OF THE KNEE	7.3.1(a)	\$100.00

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
7527 Elmeridge 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:	FOR COURT USE	DATE
<input type="checkbox"/> NOT DISPUTED	AT TRIAL	YY MM DD
<input type="checkbox"/> CONVICTED AND FINE SET BY BYLAW IMPOSED	<input type="checkbox"/> CONVICTED	
<input type="checkbox"/> QUASHED	FINE AMOUNT IMPOSED \$ _____	
	<input type="checkbox"/> DISMISSED	

SIGNATURE OF JUDGE/JUSTICE

BYLAW ENFORCEMENT OFFICER'S NAME OR NUMBER
V. ADOR J. ADOR DATE OF SERVICE **09 08 26**

AREAS OF THIS TICKET PRINTED 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

**** Duplicate Receipt ****

City Hall
6911 No. 3 Road
Richmond, BC
604-276-4000
GST# R121454003

Front of House
#17-0060701
Cashier: 339
Aug 31 2009 - 4:42PM

10 Licence - Vehicle Commercial \$100.00
M14611

SubTotal: \$100.00
GST: \$0.00
PST: \$0.00

Total Due: \$100.00

Payment: Cash \$100.00



LIM & COMPANY
Barristers & Solicitors

#202 - 2232 West 41st Avenue
Vancouver, BC
V6M 1Z8, Canada
Phone: 604-266-1988
Fax: 604-263-0880

File No.: 40-2086

January 27, 2010

City of Richmond
6911 No. 3 Road
Richmond, BC
V6Y 2C1

CITY OF RICHMOND
INFO CENTRE

FEB -2 2010

Attn.: Mr. W Glenn McLaughlin – Chief Licence Inspector

Dear Sir:

Re: **Submissions to City of Richmond (“City”) in the matter of 0708315B.C. Ltd. Doing business as Atlantis Relaxation (“Company”)**

Admissions:

The Company admits that over the past years from June 2, 2008 (takeover date by the present owner from the previous) through to the present, that there have been three separate incidents of By-law violations all of which pertained to the same alleged breach of dress code requirement as set out in Bylaw Regulation 7538. In each of the four instances, Violation tickets were issued whereby a fine of \$100.00 was imposed. In every instance, all the fines were promptly and fully paid. No fines are currently outstanding. Until this last incident, the Company did not retain nor seek legal counsel to assist them.

Company’s Misapprehension:

The company directors are new immigrants to Canada. Lucy speaks some English, but poorly, while her husband Mr. Sun can neither speak nor understand English. The two directors came from China and started to operate the business without much knowledge of the bylaws and rules of the City of Richmond. The directors did not take seriously the nature of the violations and considered these violations and fines as part of the cost of doing business. That was the prevailing attitude thinking that doing business in Canada was identical that in China.

Company’s Present Circumstance:

After attending the show cause hearing and upon receiving legal advise, the Company is now fully aware of the severity of these bylaw infractions and how these infractions might adversely impact upon the Company’s business. The directors of the Company are prepared to immediately implement the following steps to address the problem:

.....P.2

1. The Company shall provide all employees with the proper attire which complies with the bylaw requirement covering the body from the neck to the knees, and to the elbows, in non-transparent material.
2. The employees present and future ones, will undergo a training session as to the need to be fully clothed in the proper dress code as per the bylaw requirement while in the Company's premises.
3. That any employee found not wearing the proper attire at anytime within the Company's premises shall be dismissed and that this violation by any employee will be just cause for dismissal of such employee.
4. That during any ongoing sessions, management shall make periodic inspections at intervals of every 5 minutes to ensure due compliance of the dress code requirement.

Submissions:

It is respectfully submitted that:

1. The problem should be dealt with in such manner that the root cause be discovered and addressed.
2. The Company and its management failed to grasp the point that the City had brought forth in the past few incidents.
3. The foregoing steps to be implemented reflects a genuine change in attitude and understanding by management.
4. The Company be allowed to implement these steps and the City to do its periodic inspections to confirm compliance by the Company.
5. Should the Company continue to breach the bylaw hereafter, that the City be at liberty to impose whatever sanctions it wishes and the Company shall not oppose or challenge any such sanctions thereafter.
6. The Company should be allowed to implement these new business practices and be allowed to prove to the City how effective and sincere its efforts are to address the problem.

Based upon the foregoing, the Company asks that it be allowed to continue its business uninterrupted for the time being to allow for the new business practices to be implemented. If so inclined, to allow the Company a grace period of 6 months to a year to implement with periodic inspections by the City to confirm compliance. Thereafter, any failure by the Company to comply with the bylaw can then be sanctioned as the City wishes.

Yours truly,
LIM & COMPANY
per: 

William H. Lim
WHL/ic

CNCL - 19
(Special)