

The mansion owner at 1138 Matthews Avenue, listed by Sonja Pedersen of Remax Crest Realty, is fighting the vacant home tax

Mansion owner claims he missed \$128K empty homes tax bill because he was out of the country

Jason Proctor · CBC News Jul 05, 2019



1138 Matthews Avenue



The owner of this mansion on Matthews Avenue — currently for sale for \$16.9 million — is fighting a \$128,310 empty homes tax bill for 2017. (Ben Nelms/CBC)

The owner of a multi-million dollar Vancouver mansion claims he missed a deadline to fight a \$128,310 empty homes tax bill because he was out of the country when the city tried to contact him.

Sau Po Wong is suing the city and its vacancy tax review officer in a bid for an extension so that he can file the documents he claims will prove he was living in the home on Matthews Avenue in 2017.

According to a notice of civil claim filed in B.C. Supreme Court, the retiree accidentally filed utility bills and an insurance policy from the wrong year in support of his declaration that his five-bedroom house wasn't empty.

"Although he has various documents to support the declaration ... owing to his difficulties understanding English, he provided documentation relevant to a different vacancy reference period," Wong's lawyer wrote in an email to the city.

"[He] then was unfortunately out of the country and did not receive any further correspondence from the city with respect to the audit (whether by email, phone, or mail) until he returned home."

Whoops! Wrong year

The City of Vancouver introduced the empty homes tax in 2016 in a bid to relieve pressure on Vancouver's rental market by targeting empty or under-utilized properties.

Wong's 6,000-square foot home sits on 22,000 square feet of landscaped property located in the heart of Shaughnessy.

It's on the same street as the house where Huawei chief financial officer Meng Wanzhou is living under house arrest as she awaits an extradition hearing.

Wong's two-storey house is currently for sale for \$16.9 million. The 2019 assessed value of the home was \$12.6 million.

According to his statement of claim, Wong is a retired businessman and a Canadian citizen. He filled in the initial empty homes tax declaration before the deadline in February 2018.

"Because he had lived at the property for more than six months during 2017, in the declaration Mr. Wong indicated that the property was his principal residence in 2017," the notice of claim reads.

"It is the residential address he used on documentation related to his governmental identification and it is where he received bills, including utility bills relating to the property and other mail, such as taxation and insurance documents."

Wong was subsequently given an audit notification. He doesn't speak, read or write English.

"Unfortunately, when Mr. Wong submitted his audit response, he mistakenly uploaded copies of a utility bill, a notice of assessment, and government correspondence relating to 2018 — not 2017," the notice of claim says.

'Multiple opportunities to comply'

After submitting the files for the audit, Wong headed out of town in early September 2018 for several months.

When he got home on Dec. 18, 2018, he found an audit determination sent the previous month in the mail — and a vacancy tax bill for \$128,310.

He was told that a late fee would apply after Dec. 12 — six days earlier. It was the same deadline to file a notice of complaint.

[Watch the video for 1138 Matthews](#)

According to the notice of claim, Wong's lawyers started corresponding with the city in March 2019.

They were told Wong "had been given multiple opportunities to comply with the Vacancy Tax Bylaw by ways of an audit notification letter, a follow up phone call (no answer) and email."

But Wong claims he didn't receive the follow-up call or the emails. He asked the city for an extension, but was advised that "management" had turned him down.

"The vacancy tax is a significant sum and directly affects Mr. Wong's property interests," the lawsuit says.

"The city owed Mr. Wong a high degree of procedural fairness." The city has not yet responded to the claim.

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