Name of Claimant YAKURA, Yukitoshi Case 230

Custodian File 11598

REAL PROPERTY

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: % of Total	Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Amount	
1000	50.00 12.50										62.50

PERSONAL PROPERTY

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 & Not Found & Recorded Now Missing	45% of amount in next preceding column	

NETS

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	

MISCELLANEOUS CHATTELS

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	62.50

CASE NO: 230

JAPANESE PROPERTY CLAIMS COMMISSION

Vernon, B.C.

May 3, 1948

IN THE MATTER OF THE CLAIM OF

YUKITOSHI YAKURA

PROCEEDINGS AT HEARING

Original

CASE NO: 230

IN THE MATTER OF THE "INQUIRIES ACT."

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

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

Vernon, B.C.

May 3, 1948

IN THE MATTER OF THE CLAIM OF

YUKITOSHI YAKURA

PROCEEDINGS AT HEARING

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.
MRS. I.C. SMITH,	Official Interpreter.
G. HAMBLETON, Esq.,	Official Reporter.

MR. COBUS: Your honour, I would call the first claim, that of Yukitoshi Yakura, originally No. 237.

YUKITOSHI YAKURA, the Claimant herein, being first duly sworn, testified through the official interpreter as follows:

MR. COBUS: Your honour, I would ask, first, to amend the claim form. For $2,000.00 read $1500.00, and for the amount credited to the Custodian, $1,000.00, leaving a net claim of $500.00. The claim for personalty is being abandoned.

DIRECT EXAMINATION BY MR. COBUS:

Q: Now, witness, I am showing you a statement. Did you ask Mr. Leckie to prepare this statement for you? A: Yes.

Q: And the statements contained therein, are they true to the best of your knowledge and recollection?

A: Yes.

Q: And is that your signature? A: Yes.

MR. COBUS: I would ask to file this as Exhibit No. 1 in this case.

(STATEMENT MARKED EXHIBIT NO. 1)

Q: Witness, I am showing you a picture. Can you identify that picture? A: This was my house.

Q: What is the address of that house?

A: 1737 West 2nd, Vancouver, B.C.

Q: In what year was that picture taken, witness?

A: 1937

(PHOTOGRAPH MARKED EXHIBIT NO. 2)

MR. COBUS: Now, referring to Exhibit 1, your honour, the subject matter of the claim is a dwelling house, a six room dwelling house which was purchased by the claimant in 1933 for $750.00. It is, as stated, located at 1737 West 2nd Avenue. The claimant lists seven improvements which were made to this property, totalling $913.00. In his comments, the claimant points out that this property was rented for him by one Clark, a real estate agent, for $20.00 per month, and that such rents were collected by the Custodian, and he considers that the appraisal in 1944 of $1,000.00 was low considering the rental value of the property, the improvements made, and the increased demand and enhanced value of property by the mid-summer of 1944.

I would ask my learned friend to produce the appraisal on this property.

(Handed to Mr. Cobus)

This is the appraisal of J.R. Reid and Company dated February 14, 1944, respecting this subject realty. I would ask that this be filed on behalf of my learned friend.

(APPRAISAL MARKED EXHIBIT NO1 3)

MR. COBUS: I would ask my learned friend to admit that the rental was $20.00 per month.

MR. McTAVISH: That is correct, your honour.

MR. COBUS: And I would ask my learned friend to disclose to whom the property was sold.

MR. McTAVISH: It was sold to Jeannette Lawler.

MR. COBUS: Can my learned friend indicate whether that person was the tenant of the house?

MR. McTAVISH: They were not the tenants, your honour, Jeannette Lawler, and James H. Lawler, as joint tenants.

MR. COBUS: Your witness.

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

I would ask my friend to admit the 1944 assessment on the property -- the land being assessed at $450.00, and the improvements at $650.00.

MR. COBUS: Have you the tax certificate, Mr. McTavish?

MR. McTAVISH: No, no tax certificate.

MR. COBUS: Subject to proof, your honour.

MR. McTAVISH: No further questions, your honour; it is purely a question of value.

THE COMMISSIONER: Thank you.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

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.

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

Case No 230 DEC. - 2 1947 NOTIFIED

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

11598 Vernon

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

(1) NAME YAKURA (Print) Surname (Mr.) Yukitoshi Given Name (RCMP) Reg. No. 01875

(2) Pre-Evacuation Address 1737 West 2nd Avenue, Vancouver, B. C.

(3) Present Address Box 1638, Vernon, B. C.

(4) REAL ESTATE

(a) Street Address (if any) 1737 W. 2nd Avenue, Vancouver, B. C. City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)

Lot twenty-eight (28), Block Two Hundred and Eighteen (218) District Lot Five Hundred and Twenty-six (526), Group New Westminster District, Plan No. 590.

(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 - - - - - - - - - - - - - - - - $) 2,000.00
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - - $ 44.74 (acc'ts. Rec.)
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 2,044.74 1500
(v) Amount at which Custodian sold property and credited your account - - $ 966.19 1000
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 1,078.55 500

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
1737 W. 2nd Avenue, Vancouver, B. C.

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
House

(c) How stored or packed at time of evacuation
Stored in Attic, loose and packed.

(over)

(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") in no one's care

(e) Itemized description of personal property which is the subject of the claim:

1.	Furniture and Kitchen Utensils	Estimated Value $	100.00
2.	Gardener's Tools	Estimated Value $	75.00
3.		Estimated Value $	
4.	Total	Estimated Value $	175.00
5.	Amount received from Custodian	Estimated Value $	5.06
6.	Loss Claims	Estimated Value $	169.94
7.		Estimated Value $	
8.	(The above articles were stored under my	Estimated Value $	
9.	wife's name, but later transferred to	Estimated Value $	
10.	my account. Wife's name: Mrs. Chiyoko Yakura Reg. No. 07683)	Estimated Value $	
		TOTAL CLAIM FOR PROPERTY LOSS $	169.94

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) - $ 1,248.49

(6) (a) Place at which claimant prefers to be heard. (Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.) Vernon, B. C.

(b) Do you require the services of an interpreter at the hearing? Yes or no Yes

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)
of)
TO WIT:)

I, Yukitoshi Yakura, Box 1638 of the City
of Vernon 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 29th day of November)
A.D. 1947.) A Commissioner &c.

Yukitoshi Yakura

A Notary Public in and for the Province of British Columbia

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.

M Yakura
(Claimant's Name)

REAL ESTATE
(Other than farm)

01975
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
1737 West 22nd Ave Vancouver B C Dwelling - frame Woodshed - frame 1 Garage - frame	6 rooms and large bathroom on 1 storey and pantry	frame (drop siding) on posts set in concrete blocks; shingle roof - lath & plaster walls (painted); fir floors - no cellar & furnace	dwelling	25'x120'+-	1933	Apr 19

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value	Date of Sale
Residential area near Kitsilano Beach	750.00	(1) Jacked up house and replaced foundation in 1933 - hired and own labour; bought material, cost appx.	350.00	$1500.00 land and improvements
		(2) Complete renovation of verandah in 1933 - hired labour and bought material — cost appx.	125.00	
		(3) Replaced wash basin in bathroom and replastered 1934 - cost appx.	100.00	
		(4) Rebuilt pantry unit - new shelving and sinks both new boarding + shelving etc. in 1934 - cost about	75.00	
		(5) New shingle roof in 1934 - hired labour and bought material - cost appx.	100.00	
		(6) New lawn in 1934 and purchased and planted shrubbery, bulbs and flowers from 1934 on - cost about	100.00	
		(7) Repairs and decorating done by Custodian in 1943 and my account charged thereunto - about	63.00	

Comments re upkeep of premises:

Painting and other repairs were attended to as required, in addition to the improvements noted opposite

Comments re Appraiser's report not covered above:

when I left the property it was in quite good repair. If not kept in proper repair when rented for the Custodian in July 1944, the repairs must have been badly neglected. The Custodian charged my account in 1943 with about 63.00 all told, which I understand was for repairs and decorating done by him. I consider the valuation at 1000.00 to be substantially below a fair market value.

Comment - This property was rented by J.H. Clark (agent) at 20.00 per month and rent collected by the Custodian. I consider that when sold by the Custodian in July 1944 for 1000.00 this property would be at least worth the sum of $1500.00 considering the rental value, the improvements made and the increased demand and enhanced value of properties by midsummer 1944

EXHIBIT No. 230/1
DATE 3/5/48
FILED BY Mr Kobus

M. Yakura
SIGNATURE



EXHIBIT No. Ex 230/2

DATE 3/5/48

FILED BY Mr. Kobus

about 1937

TELEPHONE: PACIFIC 6433

"Homes a Specialty" FOR OVER 20 YEARS

REAL ESTATE
J.R. REID & Co
LOANS
VALUATIONS

J. R. REID
NOTARY PUBLIC

GENERAL INSURANCE

515 GRANVILLE STREET
VANCOUVER, CANADA

EXHIBIT No. 230/3
DATE 3/5/48
FILLED BY Mr. McTavish

February 14th, 1944.

#314 1737 West 2nd Ave.

This property comprises a 25 ft. lot on which is erected a six room wooden house in a particularly poor state of repair.

There are 3 rooms on the main floor and 3 up stairs. Plumbing consists of bathroom on the second floor and kitchen sink. There is no basement.

Valuation $1,000.