

To the Mayor & Council

Thank you in advance for taking the time to read my story.

This entire experience dates back to March of 2021 while I was looking at 855 Proserpine Rd. Everything was going smoothly until my realtor called me and said there was a notice on the house that could delay the purchase of the home but she would get back to me. With "her" further investigation, she had told me that there was a slight overhang on the roof of a shed into the neighbors property in the backyard. She made it seem like it wasn't a big deal at all, saying that the old homeowners applied for a variance, and were in cooperation with the city. There was no tension and not really any further problems and it was going to be easily resolved. She said an engineer would be dropping by but other than that everything was smooth and sailing and we could proceed with the house. They discounted me \$200 (for the engineer) on the house price, and said worst case scenario I could cut off the overhang of the roof because it was only over by a couple cm.

July of 2021 I moved in.

Prior to actually finding out more information on the notice and being in accordance with the city myself, there were various issues with the house. Obviously nothing to do with the notice or anything the city could help me with but I wanted to list the issues anyways because this was the start of this house, with exaggeration of course, but sometimes truly feeling like it, ruining my life. [REDACTED]

When buying a house, especially in the Kelowna area, should set you up for life. I had to completely demo a room that was full of black mold, replace 2/3 of the toilets after getting a plumber in on 3 separate occasions for permanent clogging, replace the stove and dishwasher breaking down in the first few months, plus so much illegal electrical; my electrician was shocked.

March of 2022 I went to [REDACTED]. I did this with the same law firm, but different lawyer as my closing lawyer when I first bought was [REDACTED]. With the same mortgage broker, and the same mortgage company. The notice was flagged again. This was when it felt like I had just ruined my life because of this house. My lawyer talked with the city because the mortgage company needed more information. So they were able to loan [REDACTED]. And I was somehow able to buy the house with a notice on it, but not refinance. Make that make sense?

The lawyer then told me that the notice seemed different/deeper than what I had explained and what was in old emails/notes. I met with the city and this is when I found out the truth.

He had told me that there was no overhang of a shed. It was my entire one side of my property line being either on the property line or on the neighbors land. He was convinced I was on the neighbors land and I would either have to buy a piece of their land or bulldoze down part of my

house. I was DEVASTATED. He said on top of that, the garage and retaining wall weren't permitted. But I couldn't just pay for permits, I had to get a variance first. And he told me to seek legal help because I could be looking at spending maybe even half a million on this. And so this all began.

Simultaneously, I had been working in accordance with the city, the variance/planning side, which was very grateful that I was taking the steps needed to get this sorted. Between the time and effort and money. As over 20 years, 3-5 additional homeowners, and I am the only one who has spent time and money on this. Every homeowner got to buy and sell and make money on this house, but I have become the one to take on this burden and drown in anxiety and debt to make this right. I wanted this to be a forever home, I wanted to be in good standing with the city. That was always morally right for me.

I hired a land survey for \$2000 which showed I was NOT on the neighbors land. I then got an engineer in who had stated that the only problem with the garage was it was lacking one beam. So I took down the retaining wall, and added a beam in the garage. And that \$200 cost that the old homeowners took off the house, actually cost me \$2000 because again it wasn't a slight overhang on the roof, it was examining and measuring an entire garage and retaining wall and a structure in the backyard. Giving the old homeowners the benefit of the doubt, the man from the city of West K who was initially helping me from the city in the structural/building/permit sector, had told me he spoke with the owners. He even had written proof. They knew exactly what was wrong with the house and what needed to be done. And so we had caught them in their lie.

And that brings me to a more relevant date sometime last year. Getting my variance application and paying for it took a while and it was processed in December. This year we were slowly but surely following all of the steps. I finally saw a light at the end of the tunnel. Which then brought us to the last step before this council meeting, which was sending out our application to neighbors in a specific radius from us. The only "people" who it "affected" was the variance/planning sector of the city because it didn't pass current 2023/2024 bylaws. However due to my circumstances and all of the facts and everything, they were in agreeance with and promoting and supporting this variance to have it grandfathered in and finally just close the chapter on all of this to help me as I am trying to make it right like no one else did before.

The reason why you are now reading my letter is because I had some neighbors not agree with what I was doing even though there is no rational and it hasn't and will continue to not affect them. This has been already built and set in stone for 20+ years. The owner beside me doesn't know me and we have never met and I know they don't live in the house on the land, they rent it out or other family lives there. The land that I share the property line with is being leased to a family company/business.

It is honestly heartbreaking all the hurdles I have faced. It has made me stronger ofcourse but I never imagined that buying a house could've set me back this much.

I am doing everything to make this right, I always have. To not have your support would mean us having to take down and rebuild our garage. Which as you can imagine would take a lot of time, effort and more money.

I am not even asking for pity, but just for some grace after being misled, lied to and deceived and heart broken for almost 3 years. I really am just trying to make this right and follow the rules and we are almost done after almost 3 years.

Thank you for your time, it is appreciated more than you know.

Kali Wells  
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