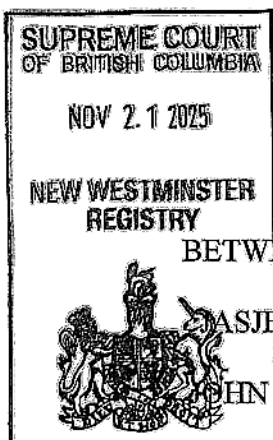


200.00



No. **260720**  
New Westminster Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

**ASJEET RAMPEE GREWAL**, on his own behalf and on behalf of all others similarly situated and affected, and

**JOHN DOE**, on his own behalf and on behalf of all others similarly situated and affected

Plaintiffs

AND:

**HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA** and

**HIS MAJESTY THE KING IN RIGHT OF CANADA**

Defendants

21NOV25 2517543 RISS 200.00  
35814 260720

**NOTICE OF CIVIL CLAIM**

This Action is a Class Proceeding

The Plaintiff brings this action pursuant to the *Class Proceedings Act*, R.S.B.C. 1996, c. 50.

This action has been started by the plaintiff(s) for the relief set out in Part 2 below.

If you intend to respond to this action, you or your lawyer must

- (a) file a response to civil claim in Form 2 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim on the plaintiff.

If you intend to make a counterclaim, you or your lawyer must

- (a) file a response to civil claim in Form 2 and a counterclaim in Form 3 in the above-named registry of this court within the time for response to civil claim described below, and

- (b) serve a copy of the filed response to civil claim and counterclaim on the plaintiff and on any new parties named in the counterclaim.

JUDGMENT MAY BE PRONOUNCED AGAINST YOU IF YOU FAIL to file the response to civil claim within the time for response to civil claim described below.

#### TIME FOR RESPONSE TO CIVIL CLAIM

A response to civil claim must be filed and served on the plaintiff(s),

- (a) if you reside anywhere in Canada, within 21 days after the date on which a copy of the filed notice of civil claim was served on you,
- (b) if you reside in the United States of America, within 35 days after the date on which a copy of the filed notice of civil claim was served on you,
- (c) if you reside elsewhere, within 49 days after the date on which a copy of the filed notice of civil claim was served on you, or
- (d) if the time for response to civil claim has been set by order of the court, within that time.

#### CLAIM OF THE PLAINTIFFS

##### Part 1: STATEMENT OF FACTS

##### I. OVERVIEW

1. This proposed class proceeding concerns the Province of British Columbia and Government of Canada's representations and omissions concerning the security and indefeasibility of registered land title within British Columbia.
2. The Plaintiffs allege that the Defendants, despite having long-standing internal knowledge of material risks to land security - given unresolved Indigenous claims to title - continued to assure the public that the title registered under the *Land Title Act* was safe, marketable and free from material qualification.
3. By maintaining these representations and collecting taxes, fees and charges based on inflated or misinformed property values, the Defendants caused economic and psychological harm to the Plaintiffs and class members.

4. On August 7, 2025, the B.C. Supreme Court, in its decision of *in Cowichan Tribes v. Canada (Attorney General)* 2025 BCSC 1490 (“Cowichan Tribes decision”) held that fee simple title in certain lands in Richmond, British Columbia was deficient and invalid because of Aboriginal title.

## II. THE PARTIES

5. The Plaintiff, JASJEET RAMPEE GREWAL, is the owner of a hazardous material removal company and resides at 3959 Forest Street, Burnaby, British Columbia. He is affected by the Cowichan Tribes decision and any subsequent decisions affecting his interest as an individual owner of real property owned in British Columbia. He represents the class of individuals whose title to properties has now become uncertain in that in accordance with the Cowichan Tribes decision and the principle of *stare decisis*, all properties in British Columbia are now subject to claims of pre-existing Aboriginal title.
6. The Plaintiff, JOHN DOE, is an owner of property in Richmond, British Columbia, who was directly impacted by the Cowichan Tribes decision, in that he owns property that is directly located on the lands that was the subject matter of the Cowichan Tribes decision. He held registered freehold title to residential property purchased in reliance on the representations of title indefeasibility provided through the Land Title and Survey Authority of British Columbia (“LTSA”) before the rendering of the Cowichan Tribes decision.
7. The proposed Class consists of all persons or entities who took title to real property in British Columbia in reliance upon the Defendants’ assurances that the Torrens land system was sacrosanct and included sections 23 and 25 of the *Land Title Act* and who were registered as fee simple owners of their respective properties in the British Columbia Land Title Office as of August 7, 2025 when the Cowichan Tribes decision was rendered and who then subsequently took steps to refinance, sell or rely on equity in said real property and incurred economic setbacks and real, equitable or other loss, both financial and mental, attributable to an inability to rely on the Torrens land system as the valid legal framework and backstop for real property holdings in British Columbia. More specifically, all persons incurring damages flowing from the Defendants operating a Torrens land system while contemporaneously trying to placate claims for real property contained within that same Torrens land system stemming from actions predating the implementation of that Torrens land system all while fully aware and/or wilfully blind to the inevitable clashing of the two opposing systems which would cause damages to persons holding real property based on assurances of indefeasible title to their respective pieces of real property.

8. The proposed Class may also consist of all persons or entities who took title to real property in another province or territory of Canada in reliance that the land system in place in that jurisdiction was sacrosanct.
9. The Defendant, *His Majesty the King in right of the Province of British Columbia* ("British Columbia"), is responsible for the administration and oversight of provincial land title.
10. The Defendant, *His Majesty the King in Right of Canada* ("Canada") is responsible for Indigenous reconciliation, processes and legislation materially affecting land use and ownership security.

### III. FACTUAL BACKGROUND

11. British Columbia operated a Torrens-based land registration system under the *Land Title Act*, R.S.B.C. 1996, c.250, which represents that title registered in the LTSA is "indefeasible" except as provided by law.
12. The Defendants were aware that certain lands throughout the province remain subject to outstanding or potential Aboriginal title claims and that the Crown's reconciliation obligations may require restrictions on land use, tenure or compensation.
13. Notwithstanding such knowledge, the Defendants:
  - a. continued to represent to property owners and purchasers that registered title was secure and marketable;
  - b. collected property transfer taxes, land title registration fees and annual property taxes based on full market values; and
  - c. failed to disclose to property owners or the public material facts known to the Defendants that undermined the practical and financial security of land ownership; and
  - d. failed to properly defend the rights of property owners which rights the Defendants had bestowed upon the property owners by way of granting them fee simple title in properties.
14. The Defendants' omissions and assurances caused property owners across British Columbia to invest, renovate or remain in properties under materially false premises regarding their stability and long-term value.

## **Part 2: RELIEF SOUGHT**

The Plaintiffs, on behalf of themselves and the proposed Class, claim:

- a. General damages for loss of property value and mental distress;
- b. Special damages for loss of investment financing, or sale opportunities;
- c. Restitution or disgorgement of taxes and fees collected under misrepresented conditions;
- d. Punitive or exemplary damages;
- e. A declaration that the Defendants' conduct was unlawful and contrary to their duties of good faith and candour;
- f. A declaration requiring full disclosure of known risks affecting registered property in British Columbia

## **Part 3: LEGAL BASIS**

### **A. Misfeasance in Public Office**

1. The Defendants, acting through their officers and agents, knowingly made or maintained false or misleading representations regarding the security of registered title and the foreseeable risks to land ownership in British Columbia.
2. The Defendants knew or were reckless as to the unlawfulness of their conduct and the likelihood that it would cause harm to property owners.
3. Such conduct constitutes misfeasance in public office within the meaning recognized by the Supreme Court of Canada in *Odhavji Estate v. Woodhouse*, 2003, SCC 69.

### **B. Negligent Misrepresentation**

4. The Defendants owed a duty of care to property owners and purchasers to take reasonable care that representation made in official registries, public statements and government publications regarding land title security were accurate and complete.
5. The Defendants breached that duty by negligently failing to disclose known material risks affecting the reliability and market value of land ownership.

6. The Plaintiffs and class members reasonably relied on the Defendants' representations to their detriment, suffering financial losses and loss of peace of mind.

**C. Breach of Statutory Duty**

7. The Defendants failed to comply with their obligations under the *Land Title Act* and other applicable legislation to maintain and provide accurate, complete and non-misleading public records and disclosures.
8. This breach directly resulted in harm to the Plaintiffs and class members.

**D. Alternative or Additional Causes of Action**

9. Further or alternatively, the Defendants' conduct amounts to:
  - a. The tort of deceit;
  - b. unjust enrichment, through the collection of taxes and fees based on misrepresented property security; and
  - c. a violation of section 7 of the Canadian Charter of Rights and Freedoms, in that arbitrary deprivation of security of the person has resulted from the Defendants' conduct.

Plaintiffs' counsel is: McGreevy Law Corporation and Dhinsa Law Office

Plaintiffs' address for service: 1636 Dempsey Road, North Vancouver, British Columbia V7K 1T3

Fax number address for service (if any): nil

E-mail address for service (if any): [jmcgreevy@telus.net](mailto:jmcgreevy@telus.net) and [avtar@dhinsalaw.com](mailto:avtar@dhinsalaw.com)  
(both email addresses must be used)

Place of trial: New Westminster, British Columbia

The address of the registry is: 651 Carnarvon Street, New Westminster, British Columbia  
V3M 1C9

Dated: November 21, 2025

John D. McGreevy John D. McGreevy

Signature of

☐ plaintiff ☐ lawyer for plaintiff(s)

John D. McGreevy

Rule 7-1(1) of the Supreme Court Civil Rules states:

(1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,

- (a) prepare a list of documents in Form 22 that lists
  - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and
  - (ii) all other documents to which the party intends to refer at trial, and
- (b) serve the list on all parties of record.

## APPENDIX

**Part 1: CONCISE SUMMARY OF NATURE OF CLAIM:**

A Class Action proceeding seeking damages resulting from failure of Defendants to protect real property interests of members of the Class.

**Part 2: THIS CLAIM ARISES FROM THE FOLLOWING:**

- ☐ a motor vehicle accident
- ☒ personal injury, other than one arising from a motor vehicle accident
- X a dispute about real property (real estate)
- ☐ a dispute about personal property
- ☐ the lending of money
- ☐ the provision of goods or services or other general commercial matters
- ☐ an employment relationship
- ☐ a dispute about a will or other issues concerning the probate of an estate
- ☐ a matter not listed here

**Part 3:**

*Land Title Act*, R.S.B.C, 1996, c.250  
etc.