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[HOME](#)

[TOP STORIES](#)

[EDITORIAL](#)

[CHAT ROOM](#)

[SPORTS](#)

[SUNSHINE](#)

[HOROSCOPES](#)

[ARTS &
ENTERTAINMENT](#)

[CALENDAR](#)

[BACK ISSUES](#)

[CLASSIFIEDS](#)

[COMMUNITY](#)

[OPINION POLL](#)

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House sale fraud investigated

- Police collect documents with ruling

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LAWYERS from Ladner Downs law firm had to turn over sealed documents to the police after a B.C. Supreme Court ruling in August concerning the fraudulent sale of a North Vancouver lot.

Lawyers for Ladner Downs claimed the documents were privileged client lawyer information, according to search warrant information.

But B.C. Supreme Court Judge Mr. Justice Patrick Dohm declared the documents were not privileged information and could be released to the North Vancouver RCMP for their criminal investigation.

The court ruling related to the fraudulent sale of a lot on Dec. 29, 1998 on Lockhaven Place in Deep Cove.

The real owner of the lot, Wilbert Owen Kennedy, lives in Bellingham, Wash.

He found out he no longer was the registered owner of the property when his property tax notice did not arrive this past spring.

Mark and Marzanna Biskupski bought the lot for \$220,000. The Biskupskis were three weeks away from moving into their newly built 2,600-square-foot home on the lot when they found out their money had gone to an imposter and not the real property owner.

The **News** contacted Mark Biskupski at his new home. Biskupski did not know the imposter's true identity. Biskupski said "everything went the legal way" as far as the lot's sale.

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"Everything is up in the air. It depends what the courts decide and what Mr. Kennedy wants to do," said Biskupski.

According to search warrant information, Barry Allan Buydens, 36, of North Vancouver, is suspected of impersonating Wilbert Kennedy with intent to convert the proceeds of a fraudulent sale of real property.

Buydens is not charged with a crime.

According to search warrant information, an imposter was able to list for sale Kennedy's property through Sutton West Coast Realty. The transfer of land title was conducted by Lander Downs law firm.

The real estate agent who listed the property for sale was Robin Cameron.

Cameron told police that she never met the imposter so she couldn't describe him. She said she listed the property and conducted sale negotiations by phone or fax, according to the search warrant.

Lawyer Mark Lewis, of Ladner Downs, worked for the imposter in the land sale.

Lewis told police that he worked on the real estate transaction, but "never actually met" the client. Other people at the law firm met the client, but Lewis said "he would not release that information nor would his firm provide a description of the person in question," according to the search warrant.

The property was bought from the imposter by Noort Developments. The property was conveyed to the Biskupskis from Noort. The Biskupskis contracted Noort Developments to build their house. Real estate agent, Richard Staszko, of Homelife Bay City, represented Noort.

Staszko told police that he had not met the imposter either and that the entire transaction, or almost the entire transaction, was done by fax, according to the search warrant.

Police executed a search warrant on Staszko's residence to obtain the original copy of the contract for purchase and sale of the lot that contained Kennedy's fraudulent signature.

According to the search warrant, after North Vancouver RCMP economic crime unit officers started their investigation, the imposter contacted

Homelife Bay City Realty on June 10 requesting a that cheque be re-issued relating to the lot's sale.

North Vancouver Mounties were called to the Homelife office. There was a cab driver waiting to take the cheque. The cab driver said a man in an "expensive-looking sports utility or 4x4 type truck" told him to pick up the cheque and bring it to Jack Lonsdale's Pub.

The cab driver was followed to the pub by two Mounties. RCMP plainclothes officers were also present near the pub.

The cab driver recognized a man in a silver Toyota truck. The truck drove around the area a couple of times and, after 15 minutes, drove off without picking up the cheque.

A Mountie noticed that the driver was the same man with reddish blonde hair seen loitering around the front of the pub a short time before.

Police traced the licence plate and found out the truck was registered to Tourocan Development Ltd., doing business as Lo-Cost Rent-A Car Ltd., on Marine Drive. The truck was rented by Buydens, according to the search warrant.

In addition to Kennedy's forged signature, notary public Virginia Lange had her name forged on a transfer of land registration that was found at the New Westminster Land Titles Office, according to the search warrant. Lange has an office on Mount Seymour Parkway.

Meanwhile Kennedy informed police he never employed any lawyer named Mark Lewis or a law firm of Ladner Downs at any time.

North Vancouver provincial court information indicates that Buydens is currently charged with:

- stealing a vehicle belonging to Lo-Cost Rent-A-Car in North Vancouver City.
- possessing stolen property consisting of a vehicle belonging to Lo-Cost Rent-A-Car.

He is slated for a trial on March 15, 2000 in North Vancouver provincial court.

Buydens was charged regarding the vehicle two days before a search

warrant was issued to enter the home of Buydens' estranged wife home on Berkley Road in the Seymour area. Police were searching for examples of Buydens' handwriting. Buydens continues to live in the Seymour area.

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