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March 19, 2021

Community Safety Unit
Policing and Security Branch
Ministry of Public Safety and Solicitor General
PO Box 9060 Surrey Stn Main
Surry, BC V3T 0N4

Attention: Brian Murray, Manager Regulatory

Dear Sir:

Re: Skipper Properties Ltd. – Victoria Cannabis Buyers Club

We are counsel for the Victoria Cannabis Buyers Club (VCBC), which for many years has been operating out of a property owned by Skipper Properties Ltd., located at 826 Johnson St., Victoria, BC, V8W 1N3.

On February 5, 2021, you wrote to Skipper Properties, advising them to cease and desist from breaching s. 80 of the *Cannabis Control and Licensing Act* (CCLA), which prohibits a landlord from allowing their premises to be used for the sale of cannabis in a manner that contravenes the CCLA or the federal *Cannabis Act*.

You stated the CSU's specific concern this way:

All private non-medical cannabis retailers in the Province are required to obtain provincial licenses issued under the CCLA by the Liquor and Cannabis Regulation Branch (LCRB) in order to legally sell non-medical cannabis. As of the date of this letter, the cannabis retailer operating from the Property does not hold a provincial license to sell non-medical cannabis.

A copy of your letter is enclosed.

I write to address your concern that the VCBC is selling non-medical cannabis. It is not. To the contrary, the VCBC exclusively provides cannabis to its members for medical purposes.

I have enclosed a sworn statement from Ted Smith, VCBC's founder and Executive Director. He attests that:

The VCBC's mandate is to help the seriously ill access a range of cannabis products at the lowest cost possible. The VCBC exists exclusively to help members with a proven medical need for cannabis. Nearly all of our members use cannabis as a substitute for pharmaceutical drugs or street drugs. Many members treat their medical conditions with both cannabis and prescription drugs.

We have always required prospective members to provide proof of a chronic medical condition (with the exception of members with opioid prescriptions). It is not enough for someone to come in and tell us that they are sick. They must also provide credible documentation of their illness.

To be clear, we do not provide cannabis for any non-medical purpose. We provide cannabis only for the treatment of medical conditions.

In short, the VCBC does not sell non-medical cannabis, and it therefore does not require a provincial license under the CCLA. Rather, it exclusively provides cannabis for medical purposes, which is regulated under the federal *Cannabis Act*.

The VCBC is currently engaging with the federal government to obtain exemptions from certain aspects of the *Cannabis Act* and the associated regulations to accommodate the VCBC's model for providing medical cannabis that is tailored to its members' therapeutic needs at the lowest cost possible. The VCBC has recently filed a formal application in that regard. It anticipates a decision from the federal government in the coming months.

The VCBC is a non-profit society with a 25 year history of supporting individuals with chronic medical conditions, including chronic pain and alcohol and opioid dependency. Throughout that history, and today, it has focused on removing barriers so that members on low incomes and those without stable housing or access to computers, phones, or credit cards can still access high-quality cannabis to treat their medical conditions.

During the current opioid overdose epidemic, the VCBC's mandate has become all the more urgent, as some VCBC members live with addictions and substitute cannabis for illicit or prescription opioids, or use cannabis to alleviate the symptoms of withdrawal. Medical evidence indicates that medical cannabis can be highly effective at reducing opioid and benzodiazepine dependence. Access to low-cost cannabis products provides a life-saving alternative to opioids and other more dangerous substances, particularly for people living on low incomes.

In light of its mandate and its long history of providing low-barrier access to medical cannabis for those who need it most, the VCBC receives broad support from the community on southern Vancouver Island, including from Victoria City Council and Ministers of Parliament Laurel Collins (Victoria) and Paul Manly (Nanaimo-Lady Smith).

It is essential to the health – and indeed survival, in some cases – of the members it serves that the VCBC is able to continue providing low-barrier medical cannabis.

We trust that the foregoing and Mr. Smith's sworn statement answer the concern set out in your letter to Skipper Properties. The VCBC is not a non-medical cannabis retailer, it is not selling non-medical cannabis, and it does not require a provincial licence under the CCLA.

If you have any further questions or concerns about the VCBC's operations, then my client would be pleased to answer them. I ask that you address such questions to me, as counsel for the VCBC.

Yours truly,

JFK Law Corporation

Per:

Tim Dickson

cc: Skipper Properties Ltd.

Encls.