



# Civil Resolution Tribunal

Date Issued: August 23, 2024

File: SC-2023-010786

Type: Small Claims

## Civil Resolution Tribunal

Indexed as: *Drouin v. Khurami dba Dad's Roadside and Towing Services*, 2024 BCCRT  
821

BETWEEN:

PHILIPPE DROUIN

**APPLICANT**

AND:

M ESSA KHAN KHURAMI (Doing Business As DAD'S ROADSIDE  
AND TOWING SERVICES)

**RESPONDENT**

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## REASONS FOR DECISION

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Tribunal Member:

Andrea Ritchie, Vice Chair

Hearing Date:

August 15, 2024

## DECISION

1. This dispute was about vehicle damage after towing services. The applicant, Philippe Drouin, claimed \$1,600 from the respondent, M Essa Khan Khurami doing business as Dad's Roadside and Towing Services (Dad's Towing), for alleged damaged to Mr.

Drouin's vehicle. Dad's Towing denied damaging Mr. Drouin's vehicle. Mr. Drouin represented himself. Dad's Towing was represented by an employee.

2. The Civil Resolution Tribunal (CRT) has jurisdiction over small claims disputes brought under section 118 of the *Civil Resolution Tribunal Act* (CRTA). CRTA section 39 says the CRT has discretion to decide the hearing's format. The parties agreed to participate in a mediation-arbitration via videoconference, which took place on August 15, 2024.
3. The respondent was initially named as "Ahamad Mohammad doing business as Dad's Roadside and Towing Services". After discussion with the parties, I determined the respondent was improperly named. With the parties' consent, I exercised my discretion under section 61 of the CRTA to amend the style of cause to reflect the respondent's proper name, M Essa Khan Khurami doing business as Dad's Roadside and Towing Services.
4. They did not settle their dispute during mediation, so I converted the mediation to an oral hearing and made a final decision. I provided my decision orally, with reasons, that day. Section 46(3) of the CRTA says that when the CRT gives oral reasons, it only needs to produce formal written reasons if a party requests them. The CRT gave the parties 7 days to request formal written reasons, and neither party did so. So, I have not prepared formal written reasons. CRTA section 85(1) requires the CRT to publish all final decisions but does not require the CRT to publish a record of oral reasons. So, this final decision does not include my reasons.
5. I found in favour of Dad's Towing, and I dismissed Mr. Drouin's claims.

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Andrea Ritchie, Vice Chair

