



Civil Resolution Tribunal

Date Issued: April 27, 2026

File: SC-2024-010650

Type: Small Claims

Civil Resolution Tribunal

Indexed as: *City of Vancouver v. Easson*, 2026 BCCRT 663

BETWEEN:

CITY OF VANCOUVER

APPLICANT

AND:

SKYE JANAI EASSON, RUSSELL JENNINGS, AUGUSTINE KUMIH
YEBOAH, and VANCOUVER TAXI LTD.

RESPONDENTS

REASONS FOR DECISION

Tribunal Member:

Peter Mennie

INTRODUCTION

1. A traffic light owned by the applicant, the City of Vancouver, was damaged in a motor vehicle accident. The respondents, Skye Janai Easson and Augustine Kumih Yeboah, were the drivers involved in the accident. Neither provided their title or pronouns, so I will refer to them by their last names. The respondents, Russell

Jennings and Vancouver Taxi Ltd., are the owners of the vehicles driven by Easson and Yeboah, respectively.

2. Vancouver says one or both drivers drove negligently and must pay for its costs to repair the traffic light. It says Mr. Jennings and Vancouver Taxi Ltd. are vicariously liable as the vehicles' owners. The respondents all argue that they are not liable for Vancouver's property damage. Easson and Yeboah both say the other ran a red light which caused the accident.
3. Vancouver is represented by its lawyer, Rory McMullan. Easson and Mr. Jennings are self-represented. An ICBC employee represents Yeboah and Vancouver Taxi Ltd.
4. For the reasons below, I allow Vancouver's claims against Easson and Mr. Jennings. I dismiss its claims against Yeboah and Vancouver Taxi Ltd.

JURISDICTION AND PROCEDURE

5. These are the formal written reasons of the Civil Resolution Tribunal (CRT). The CRT has jurisdiction over small claims brought under *Civil Resolution Tribunal Act* (CRTA) section 118. CRTA section 2 states that the CRT's mandate is to provide dispute resolution services accessibly, quickly, economically, informally, and flexibly.
6. CRTA section 39 says the CRT has discretion to decide the hearing's format. Vancouver says that I should consider holding an oral hearing to assess the credibility of Easson and Yeboah. However, I find this is not required. Both Easson and Yeboah say that the other ran a red light. I find there would be little benefit to having them repeat these statements at an oral hearing. As I discuss below, I find that I can resolve this dispute with an independent witness statement taken by ICBC. Bearing in mind the CRT's mandate that includes proportionality and speedy dispute resolution, I have decided this dispute based on the parties' written submissions and documentary evidence.

7. CRTA section 42 says the CRT may accept as evidence information that it considers relevant, necessary, and appropriate, whether or not the information would be admissible in court.
8. In its submissions, Vancouver suggests that this dispute should be paused and Easson and Mr. Jennings should be invited to seek assistance from their insurer and provide additional submissions and evidence. However, it is not the CRT's role to intervene to assist a party in this way. While Easson and Mr. Jennings may have insurance coverage if they are liable, that is a matter between them and their insurer.

ISSUES

9. The issues in this dispute are:
 - a. Are any of the respondents liable for the property damage to Vancouver's traffic light?
 - b. If so, what are Vancouver's damages?

EVIDENCE AND ANALYSIS

10. As the applicant in a civil dispute, Vancouver must prove its claims on a balance of probabilities. I have read all the parties' submissions and evidence but refer only to the evidence and argument that I find relevant to provide context for my decision. I note that Easson and Mr. Jennings provided no documentary evidence despite being given the opportunity to do so.
11. The background facts are undisputed. Easson and Yeboah were in a motor vehicle accident on October 8, 2022, around 6:30 am. The collision occurred at the intersection of Seymour and Nelson Street in Vancouver. Both vehicles and a traffic light were damaged in the accident.

12. Vancouver claims against the respondents in negligence. The test for negligence is set out in *Mustapha v. Culligan of Canada Ltd.*, 2008 SCC 27. Vancouver must show (1) the respondents owed it a duty of care, (2) the respondents breached the standard of care, (3) Vancouver suffered damage, and (4) the damage was caused by the respondents' breach.
13. None of the parties made submissions about whether the respondents owed Vancouver a duty of care. It is well-established that drivers owe a duty of care to others on the road. This is codified in *Motor Vehicle Act* (MVA) section 144(1). Damage to a municipality's property is a reasonably foreseeable consequence of a motor vehicle accident. As the respondents made no objection, I find that Easson and Yeboah owed Vancouver a duty of care while driving within the city's limits.
14. The applicable standard of care is that of a reasonable and prudent driver. The main issue in this dispute is which driver fell below the standard of care. Easson and Yeboah both say the other ran a red light which caused the accident.
15. Easson says that Yeboah's taxi had a dash camera, however, Yeboah told the police that it was not working at the time of the accident. I infer that Easson asks me to find that Yeboah did not provide dash camera footage because it would prove they ran a red light. I do not accept this argument because the police report in evidence does not mention a dash camera and does not draw any conclusions about who caused the accident.
16. Easson also says that their insurer decided they were not at fault for the accident. However, I place little weight on this statement. Easson provided no documents from their insurer or any other independent evidence to show they were not held at fault. An insurer's determination about fault for an accident is also not binding on me.
17. Yeboah relies on an independent witness who provided a statement to ICBC over the phone. The witness is named as MP in the police report. ICBC's notes from the call are in evidence. MP said that they were a pedestrian near the intersection and

saw Easson driving very fast. ICBC's notes are somewhat unclear about the colour of Easson's traffic light. ICBC recorded that MP said the traffic light was "flashing red(ie red) [sic]", but later recorded that Easson's traffic light was red.

18. Vancouver provided its traffic signal history which shows that Easson's traffic light was not flashing red before the accident. Easson and Yeboah did not report flashing red lights. So, I find that the traffic lights were not flashing red before the accident. ICBC's adjuster was likely typing quickly during the phone call which is shown by the incorrect spacing in the notes. On this basis, I find that the note about the "flashing" red light was a misprint and MP reported that Easson's light was red.
19. Easson says that MP was not present at the time of the accident and arrived after. However, I find it unlikely that MP, an independent third party, would provide a statement to ICBC if they did not witness the accident. MP is also noted as a witness in the police report and in Yeboah's statement to ICBC.
20. Easson also points out that MP did not provide an updated statement in this dispute. ICBC's notes about its call with MP are hearsay, meaning they are statements made outside this CRT proceeding. However, the CRT routinely accepts adjusters' notes of phone calls. See, for example, *Medel v. Grewal*, 2019 BCCRT 596. I find that MP's statement summarized in ICBC's file is sufficiently reliable because ICBC, as part of its standard procedures when investigating an accident, receives oral reports from involved persons and records those summaries in its file.
21. MP's statement is the only independent evidence about how the accident happened. Relying on this statement, on a balance of probabilities, I find that Easson entered the intersection on a red light. I find that Easson drove negligently because entering an intersection on a red light is a clear departure from the standard of care of a reasonable and prudent driver.
22. Under MVA section 86, when a vehicle owner gives their consent for someone else to drive their vehicle, the owner is vicariously liable for any accidents caused by that

other driver. There is no evidence to suggest that Easson was driving Mr. Jennings' vehicle without his consent. So, I find that Mr. Jennings is vicariously liable as well.

23. I turn to consider damages. Vancouver says it paid \$4,048.88 to fix the traffic light. This includes labour, materials, equipment, and a 15% supervision and administration fee. The respondents did not dispute these expenses which I find are reasonable. There is no dispute that the damage to the traffic light was caused by the motor vehicle accident. So, I accept that Vancouver suffered \$4,048.88 in damages.
24. Vancouver only claimed \$3,374.07 in its Dispute Notice. However, Vancouver asked for \$4,048.88 early in its submissions and the respondents had an opportunity to provide evidence and submissions in response. Bearing in mind the CRT's flexible mandate, I find it is procedurally fair to award Vancouver \$4,048.88 for its proven damages.

FEES, EXPENSES, AND INTEREST

25. The *Court Order Interest Act* applies to the CRT. Vancouver is entitled to pre-judgment interest on the \$4,048.88 award from September 20, 2024, the date it claimed interest in its Dispute Notice to the date of this decision. This equals \$217.84.
26. Under CRTA section 49 and CRT rules, the CRT will generally order an unsuccessful party to reimburse a successful party for CRT fees and reasonable dispute-related expenses. Vancouver was successful, so I order Easson and Mr. Jennings to pay \$200 for Vancouver's CRT fees. None of the parties claimed any dispute-related expenses.

ORDERS

27. Within 30 days of the date of this decision, I order Easson and Mr. Jennings to pay Vancouver a total of \$4,466.72, broken down as follows:

- a. \$4,048.88 as damages,
 - b. \$217.84 in pre-judgment interest under the *Court Order Interest Act*, and
 - c. \$200 in CRT fees.
28. Vancouver is entitled to post-judgment interest under the *Court Order Interest Act*, as applicable.
29. I dismiss Vancouver's claims against Yeboah and Vancouver Taxi Ltd.
30. This is a validated decision and order. Under CRTA section 58.1, a validated copy of the CRT's order can be enforced through the Provincial Court of British Columbia. Once filed, a CRT order has the same force and effect as an order of the Provincial Court of British Columbia.

Peter Mennie, Tribunal Member