

CANADA / JUDGMENT

Tafti v. Davis

2025 BCSC 1101

COURT

Supreme Court of British Columbia

DECIDED

13 May 2025

Source: bccourts.ca · Research copy typeset by Esheria. Not court-issued or certified.

2025 BCSC 1101 Tafti v. Davis IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: Tafti v. Davis, 2025 BCSC 1101 Date: 20250513 Docket: S175641 Registry: Vancouver Between: Mehdi Alaei Tafti Plaintiff And: Alan Davis, John Davies, and The Owners, Strata Plan LMS 1866 Defendants Before: The Honourable Justice G.C. Weatherill Oral Reasons for Judgment In Chambers The Plaintiff, appearing in person: M.A. Tafti Counsel for the Defendants: M. Li Place and Date of Hearing: Vancouver, B.C. May 13, 2025 Place and Date of Judgment: Vancouver, B.C. May 13, 2025

- [1] THE COURT: This action was initially commenced by the plaintiff in Provincial Court on May 8, 2015, almost ten years ago to the day. On June 12, 2017, the plaintiff caused it to be transferred to this court. His notice of civil claim was filed in this court on August 8, 2017. There were numerous interlocutory applications made during the course of the over nine years of litigation.
- [2] On April 2, 2024, after 42 days of trial, Justice Crossin dismissed the plaintiff's claims in their entirety.
- [3] The defendants now seek an award of double costs.
- [4] Rule 9-1(5)(b) of the Supreme Court Civil Rules provides that the court may award double costs on all or some of the steps taken in a proceeding after the date of delivery or service of an offer to settle.
- [5] In this case, the defendants delivered to the plaintiff the following offers to settle:
- a) December 19, 2017: \$3,000
 - b) March 12, 2020: \$15,000
 - c) October 16, 2021: \$15,000, net of the \$7,000 the plaintiff owed to them in respect of Court of Appeal costs
 - d) December 22, 2021: \$50,000
 - e) December 30, 2021: \$25,000 plus reasonable taxable costs and disbursements

- [6] In making an order as sought by the defendants under Rule 9-1(5), the court may consider the following:
- a) whether the offer to settle was one that ought reasonably to have been accepted.
 - b) the relationship between the terms of the offer to settle and the final judgment of the court.
 - c) the relative financial circumstances of the parties.
 - d) any other factor the court considers appropriate.
- [7] The salient facts and applicable law regarding Rule 9-1(5) were succinctly set out by counsel for the defendants in her notice of application. It is unnecessary to repeat them here.
- [8] In his response materials and submissions before me this afternoon, the plaintiff did not address any of the factors that I have set out in any material way. Rather, his focus was on an application he wishes to file to reopen the trial on the basis of new evidence he says was actively concealed from him. He says that this fresh evidence will exonerate him and that any decision on costs should be adjourned until the outcome of his fresh-evidence application. There is no question that the plaintiff believes passionately that he has been wronged.
- [9] The plaintiff's submissions this afternoon can best be described as rambling and, in large part, incomprehensible. They were by no means cogent. I am not persuaded that any application the plaintiff brings to reopen the trial has any hope of success. Indeed, it appears to me that any such application is likely to be as misguided as Crossin J. found the action to have been.
- [10] I have no difficulty concluding that each of the offers to settle ought reasonably to have been accepted. The plaintiff's claims were found to be entirely without merit. He was awarded nothing after a lengthy trial. There were numerous appearances before judges of this court and of the Court of Appeal, during which the issues that the plaintiff had to focus on were addressed and explained to him. He ought to have understood the flaws in his pleadings, in the parties he named and in the challenges he faced. Instead, he was steadfast in his belief that he had been wronged and was determined to demonstrate his beliefs regardless of the cost to the defendants and the judicial resources.
- [11] I also have no difficulty accepting the submissions of counsel for the defendants regarding the relative financial circumstances of the parties. The mere fact that the plaintiff was self-represented does not exempt him from the Rules of Court. He chose to make allegations of serious misconduct on the part of the defendants. The plaintiff's flawed perceptions inflicted substantial expense upon the defendants that would easily have been avoided had he chosen the path of reason and sensibility.

- [12] After 42 days of trial, the plaintiff was found by Crossin J. to be an unreliable historian of the facts and, in many respects, not credible. As was stated in his reasons for judgment indexed as Tafti v. Davis, 2024 BCSC 176, Crossin J. held:
- [376] [] He views any slight, no matter how objectively trivial, as evidencing an unjustified intrusion into the operation of his free will; that in turn is perceived by him as a series of grave injustices perpetrated by the persons that interact with him in the building.
- [13] I agree with the submissions of counsel for the defendants in their entirety. There will be an order that the defendants are entitled to double costs for all steps taken in this proceeding from and after March 12, 2020.
- [14] Are there any questions?
- [15] THE PLAINTIFF: Yes, Justice, two questions. One is based on Your Honour's ruling, would there -- the hearing on May 26 of this year is to be adjourned perhaps before an application to vary or cancel the order, or whether that date should remain on your schedule.
- [16] THE COURT: I am not aware of -- have you filed an application?
- [17] THE PLAINTIFF: Yes.
- [18] THE COURT: To reopen the case?
- [19] THE PLAINTIFF: Yes.
- [20] THE COURT: All right. It has been set for 10 o'clock on May 26 -- May 26 before me.
- [21] THE PLAINTIFF: Yes.
- [22] THE COURT: And I will hear it if you intend to proceed with it.
- [23] THE PLAINTIFF: And the other -- I have just made a requisition for DARS records to be released. I am just wondering whether there could be an expedition of release of DARS records.
- [24] THE COURT: Of what? Records of what?
- [25] THE PLAINTIFF: Of the proceedings, it will be including the --
- [26] THE COURT: In trial?
- [27] THE PLAINTIFF: Yes.
- [28] THE COURT: Are you seeking a transcript?
- [29] THE PLAINTIFF: Well, I've -- several official transcripts and several transcripts made myself, particularly there was a case planning order made -- excuse me -- on October 12, 2022. Those are sealed, unless there is relevance as to precedence. And the submission will be with respect to the defence expert engineer report, on which I understood -- and to my memory there was leave to file an application, which was filed.

- [30] THE COURT: This action has occupied over ten years of litigation to date. You have heard my comments earlier about the merit of any application to reopen the trial on the basis of fresh evidence. I do not know whether you have researched the law regarding what you must do to satisfy a court in these kinds of circumstances that the trial ought to be reopened, but if you have not, I urge you to do so.
- [31] I am not making any order that will further consume, in my view, unnecessarily, the scarce resources of this court. If you wish to proceed with obtaining transcripts of various proceedings, you are welcome to do so, but you are going to do it at your own expense.
- [32] CNSL M. LI: All right, Justice. Can the plaintiff's signature be dispensed with --
- [33] THE COURT: Yes.
- [34] CNSL M. LI: -- for the order?
- [35] And also just in terms of costs for this application ...
- [36] THE COURT: That is included in the order.
- [37] CNSL M. LI: Thank you.
- [38] THE COURT: All right. Thank you. "G.C. Weatherill J."

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bccourts.ca/jdb-txt/sc/25/11/2025BCSC1101.htm>

CASE PAGE <https://chat.esheria.ai/case-law/canada/tafti-v-davis-2025-bcsc-1101>

Prepared on 28 October 2026 · Esheria