

COURT OF APPEAL FOR BRITISH COLUMBIA

Citation: *Sefcikova v. Orca Realty Inc.*,
2026 BCCA 46

Date: 20260206
Docket: CA49883

Between:

Gabriela Sefcikova and Kamil Sefcik

Appellants
(Plaintiffs)

And

Orca Realty Inc. and Sandra Bayliss

Respondents
(Defendants)

And

Director of the Residential Tenancy Branch

Respondent

Before: The Honourable Mr. Justice Willcock
The Honourable Justice Donegan
The Honourable Justice Riley

Supplementary Reasons to *Sefcikova v. Orca Realty Inc.*, 2025 BCCA 174,
Vancouver Docket CA49883.

The Appellants, appearing in person:

G. Sefcikova
K. Sefcik

Counsel for the Respondents,
Orca Realty Inc. and Sandra Bayliss:

C. Gray

Counsel for the Respondent,
Director of the Residential Tenancy Branch:

J.M. Patrick
R.L. Shaw

Place and Date of Hearing:

Vancouver, British Columbia
March 26, 2025

Place and Date of Judgment:

Vancouver, British Columbia
May 28, 2025

Written Submissions Received:

June 27, July 7 and 10, 2025

Place and Date of Supplementary
Judgment:

Vancouver, British Columbia
February 6, 2026

Written Reasons of the Court

Summary:

These are supplementary reasons on costs. Held: the appellants have not shown any basis to depart from the general rule. The respondents Orca Realty Inc. and Ms. Bayliss, as the successful party, are entitled to costs.

Supplementary Reasons of the Court:

[1] The appeal in this matter was dismissed in reasons indexed as 2025 BCCA 174. These are supplementary reasons on costs of the appeal.

[2] The general rule is that the successful party is entitled to costs of the appeal: *Court of Appeal Act*, S.B.C. 2021 c. 6, s. 44; *L.V.R. v. Mountain Institution (Warden)*, 2017 BCCA 20.

[3] The appellants argue that the respondents, though successful on the appeal, should be disentitled to costs based on the manner in which the litigation was conducted. The appellants emphasize that they are self-represented litigants who, they say, have made good faith efforts to comply with the *Rules*, and to honour filing deadlines.

[4] We do not find these submissions convincing. The allegations of misconduct: (i) relate primarily, if not entirely, to the proceedings in the trial court, and (ii) are not supported by the record or the findings of the judge in the court below. Nothing that occurred in the course of the appeal proceedings would disentitle the respondents to costs.

[5] The respondents, Orca Realty Inc. and Ms. Bayliss, are entitled to costs.

“The Honourable Mr. Justice Willcock”

“The Honourable Justice Donegan”

“The Honourable Justice Riley”