



**Wasoqopa'q First Nation**

10526 Highway #3 Yarmouth, Nova Scotia B5A 5J7  
Bus: (902) 742-0257 Fax: (902) 742-8854  
Toll Free : 1-866-670-8086  
[www.acadiafirstnation.ca](http://www.acadiafirstnation.ca)

November 1, 2023

**DELIVERED BY HAND**

Paul Hartlen  
18 Pennell Road  
Gold River Reserve  
Chester Basin NS B0J 1K0

Dear Mr. Hartlen:

**Re: Incidents at Gold River – Residency Review Hearing**

In accordance with a Notice of Hearing letter dated October 10, 2023, which was personally served upon you, the Chief and Council of the Wasoqopa'q (Acadia) First Nation convened a Hearing concerning your conduct pursuant to section 7 of the Residency By-law on October 30, 2023, at 1:00 o'clock p.m., at the Oak Island Inn, 36 Treasure Drive, Western Shore, NS B0J 3M0.

The purpose of the Hearing was to determine whether you have been in breach of the Wasoqopa'q First Nation Residency Bylaw (the "Residency Bylaw"), and in particular the following subsections thereof:

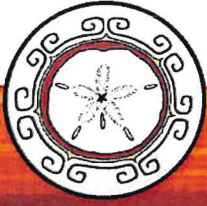
1. 7.1(b) – if a member is reasonably perceived to be a danger to the welfare of other residents;
2. 7.1(d) – if a member is reasonably believed to be interfering with the ability of other residents to live safely, in a healthy manner and in peace.

In accordance with section 7.3 of the Residency Bylaw, you, as designated occupant, are responsible for the conduct of others who reside at 18 Pennell Road.

The Notice of Hearing summarized the basic allegations to be reviewed as being:

*The people who are being attracted onto the Reserve by you are conducting themselves in a manner that is a danger to the welfare of other residents on the Reserve and is interfering with the ability of those other residents to live safely, in a healthy manner and in peace. That conduct includes loitering, leaving litter and garbage (including used needles) at or near the playground, acting improperly toward Reserve residents, intimidating Reserve residents, making excess noise after hours, and driving quickly and in a dangerous manner.*





As you were advised by the letter of October 10<sup>th</sup>:

- a) The Hearing would not be adjourned if you failed to attend;
- b) You had the opportunity to provide Chief and Council with documents ahead of time by sending them to our solicitor by email; and
- c) The Hearing could result in a decision being made by Chief and Council to terminate the allocation to you of the residence at 18 Pennell Road, and in your being banned from AFN Reserves.

Although you had the summary of the allegations and an opportunity to send Chief and Council evidence or other statements in writing ahead of the Hearing, you did not do so.

The Hearing convened at 1:00 p.m. on October 30<sup>th</sup>. As you were not in attendance, Hearing delayed until 1:05 p.m. at which time it commenced.

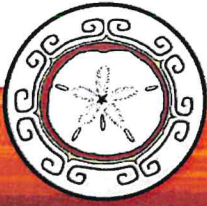
Deputy-Chief Avis Johnson, as Chair of the Hearing, summarized for those in attendance the procedure to be followed, which was intended to provide you with the procedural fairness rights of a detailed summary of the material allegations made against you, a break to give you time to consider the allegations, an opportunity to make opening statements, and an opportunity to bring evidence from yourself or other witnesses that you might bring forward.

You did not attend or send a representative to attend on your behalf. That decision meant that you did not take advantage of the procedural opportunities available to you.

As you were advised in the October 10<sup>th</sup> letter, the Hearing did not adjourn because you chose not to attend. The material allegations against you were summarized for the Hearing, which I would highlight as follows:

- a) Outsiders being attracted to your residence because of commercial activities being conducted from that home, with numerous vehicles and visitors at all hours;
- b) Incidents of dangerous driving on the reserve at all hours;
- c) Sale transactions occurring at your residence, at the playground and at other locations on the Gold River Reserve;
- d) Attendance at your home by known drug addicts;
- e) Stolen property being taken to your home;
- f) Derogatory remarks to and shouting at neighbors by you and those visiting you;
- g) Selling drugs illegally, including to at least one minor
- h) Witnessing a carload of people attending at your residence with baseball bats to get stolen goods back
- i) You being involved in a hit and run of a vehicle at The Gold Nugget;





- j) Owen Cameron (who is banned from the reserve) living at your home (even though you knew of him being banned).

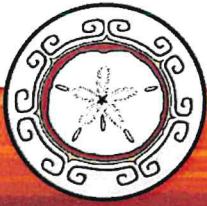
The Hearing was completed at 1:16 p.m. The Hearing room was vacated and Chief and Council proceeded to meet *in camera* (privately) to consider the evidence before it.

During that *in-camera* consideration, you arrived at the location to ask if an adjournment was possible. You were advised that the Hearing had already been held and completed. You then left and Council completed its deliberations.

Based on the information before it, Chief and Council has decided as follows:

1. The allocation to you of the home at 18 Pennell Road is terminated.
  - a. You are to vacate the home at 18 Pennell Road within 14 days of your receipt of this letter.
  - b. Anyone living with you is also to vacate the home or on before that date.
  - c. At that time, the electricity to the home will be shut off, entry restricted and the home taken back into housing inventory.
  - d. After that time, you and any other occupant will be a trespasser and liable to be charged with an offence.
  - e. Any items left in the home after that two week period has expired will be considered to have been abandoned and will be disposed of.
  - f. In accordance with section 6.6 of the Residency Bylaw, any costs incurred by our First Nation by your failure to comply with this letter will be deducted from any future sums payable to you by the First Nation, including annual distributions.
2. After the expiry of two weeks from your receipt of this letter, you are banned from entering onto any Wasoqopa'q reserve lands or other lands under its jurisdiction or control.
  - a. As a result of this Ban Order, you will not permitted to enter any Wasoqopa'q First Nation reserve, and are banned from access to any residences (including 18 Pennell Road), stores, businesses or other facilities located on any such reserve, even if invited by a Band Member.





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- b. If you enter onto any of the Wasoqopa'q First Nation Reserves while under the Ban Order, you will be a trespasser and subject to punishment for an offence under Section 30 of the *Indian Act*, as well as subject to the laying of an information by the Attorney General of Canada under section 31 of the *Act*.
- c. This ban is of indefinite duration and can only be reversed by a future decision in writing from the Chief and Council.

As provided in section 7.4 of the Residency Bylaw, a copy of this decision will be posted in the Band office.

Chief Deborah Robinson  
Wasoqopa'q First Nation  
(Acadia First Nation)

