



CHÙA LINH-SƠN HÒA LAN

Linh Son Tempel Holland

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NEWSLETTER No. 2 2024 LINH SON TEMPLE

Nam Mô Bổn Sư Thích Ca Mâu Ni Phật.

Oudendijk, December 29, 2024

Dear Buddhist followers,

The year has nearly ended, the new year is imminent. We wish everyone peace and happiness in the coming year.

Since the previous newsletter in January, there have been many new developments. This newsletter focusses on the Temple's proceedings against MT. As a board, we sometimes get questions as to why we are still taking legal action against MT. The board would like to clarify this. For that reason, this newsletter is a lot more explicit than previous newsletters. If you have not yet read it, you can read it here: www.linhsonholland.nl/ban-tin/ (Dutch and Vietnamese only).

Procedure against MT's nail studio.

On October 25, 2023, MT was ordered to repay the foundation more than €40,000 in stolen funds + more than €5,000 in legal costs. Unfortunately, MT tried to avoid this payment by pretending that he has nothing and that his income is insufficient as well. However, MT is a (co-)owner of a successful nail studio in Amsterdam. Because MT does not want to pay, the foundation can now recover this claim from the nail studio. On December 11, the judge ruled in our favor: www.linhsonholland.nl/2024-12-11-judgment-declaratory-procedure-en.pdf.

Verdict October 25, 2023.

The verdict of October 25 last year can be read here:

www.linhsonholland.nl/2023-10-25-judgment-proceedings-against-minh-tu-en.pdf. This verdict concerned the period April to September 2022, when MT illegally seized control of the temple by unilaterally changing the Chamber of Commerce registration by removing Sư Phụ from the board. This was corrected in September 2022. During this period, MT had no right to access the foundation's bank account and cash. In April 2022, the legal board expressly warned him by registered letter not to "enter into any financial transactions" while the legal procedures were still ongoing and that the foundation would hold him personally liable if he did so¹. However, MT ignored this and made all kinds of unlawful payments from the temple's bank account. After the Chamber of Commerce registration was restored in September of that year, the board held MT liable by registered letter for all illegal payments from that period, for a total of more than € 21,000².

In the same period, not a single euro was deposited into the bank account, while there were tens of thousands of euros of donations in cash. Because MT claims not to have kept a cash book (which is of course a wrongful thing in itself), the board has estimated that cash income at € 29,000 (€ 24,000 for 3 celebrations and € 5,000 in weekly Sunday donations). This estimate is based on experience and on the fact that MT announced via a video message on Viber that the Lễ Phật Đản celebration of May 2022 had yielded more than € 8,000 in cash donations. In short, MT did make payments from the temple account, but did NOT deposit the cash income into the bank account.

In total, MT must therefore repay €45,753.34 to the temple.

¹ This letter can be read here (translated into English from Dutch): www.linhsonholland.nl/letter-to-minh-tu-2022-04-06-en.pdf

² This letter can be read here as well (translated into English): www.linhsonholland.nl/letter-to-minh-tu-2022-10-20-en.pdf



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Letter of MT dated November 25, 2022

A year before, in November 2022, following our summons against MT, he had “accounted” for the income and expenditure for the period April to September 2022 by a letter in response to the summons. This letter can be read on the website, with all falsehoods marked in orange and all illegalities in yellow:

www.linhsonholland.nl/letter-from-minh-tu-2022-11-25-en.pdf. (NB: most of it is marked in either orange or yellow.)

It is very clear that MT has made up all kinds of payments to try to prove that the expenditure in that period was higher than the income. My findings can be read at

www.linhsonholland.nl/response-to-the-letter-of-minh-tu-of-2022-11-25-en.pdf. The most remarkable findings:

- The group, directed by MT, planted a conifer hedge. This was paid no less than 4 times (2x in cash and 2x by bank) and was furthermore listed as a cash expense for the Lê Phật Đán celebration as well.
- MT made up many thousands of euros in train and plane ticket costs and contributions for musicians and monks.
- the demolition of Sư Phụ's room in June 2022 was supposedly necessary due to a "leakage", but that "leakage" only occurred 2 months later in August.
- The enclosed proof of payment also shows that it is not actually a leakage, but the septic tank was full. What does a full septic tank (outside in the garden) have to do with a renovation of Sư Phụ's room on the second floor 2 months earlier? The answer: absolutely nothing!

Declaratory procedure

Exactly one year later, MT is ordered to repay over €45,000. to the temple, but he does not cooperate. He says, he has no money and can repay a maximum of €100. per month. (That way repayment will take 38 years, interests not considered.) Meanwhile, he does own a thriving nail studio in Amsterdam and uses a car worth almost €100,000. So that is not acceptable.

So, for that reason, we held his nail studio liable, and the nail studio had to deliver a statement that would clarify MT's income. On February 11, 2024, the bailiff received this statement from the nail studio, but as expected, the statement made no sense whatsoever. The statement stated that the nail studio was not able to pay as well. However, this was totally unsubstantiated. So, the board had no choice but to challenge this statement in court. Otherwise, MT would get away with paying only €100. per month for 38 years.

The hearing in this case was on 30 October 2024. During the hearing, it became clear already, that the judge also believed, that the statement of the nail studio didn't make any sense. This was confirmed by the verdict, as received last week. MT's nail studio has now been ordered to repay the full amount that MT should have repaid last year already. Additional bailiff and process costs further increased the amount to almost €50,000.

Transfer of €63.000. by MT to his private account

But let us not forget, that in September 2022, MT also drained the temple's bank account and transferred €63,000. to his private account. For that, he has already been convicted (be default) in 2022:

www.linhsonholland.nl/2022-11-23-default-judgment-63000.pdf. In total, he thus took more than €100,000. from the temple. (NB: he has since repaid that €63,000.)



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Conclusion and next steps

By this letter, the board wants to make it clear to you, that it is not Sur Phụ, who would have stolen money from the foundation (as MT continues to claim), but that it is precisely MT, who is the only one convicted for this.

The board assumes, that this will bring the proceedings to hold MT liable for the period April to September 2022 to an end. We will now take all the necessary steps to actually collect the amount which MT is required to repay to the temple.

This does not end all proceedings, however. There is still an appeal proceeding ongoing by which MT attempts to dismiss the current board and an ongoing defamation proceeding against KLN. In both proceedings, the decision is expected in January 2025. When there is any news on that, another newsletter I will be sent to you.

We hope that 2025 will finally bring peace again so that we can finally start rebuilding the temple community. We therefore hope to see you all back soon at Linh Son Temple Oudendijk.

We would also like to point out to our 2 Facebook pages:

www.facebook.com/ChuaLinhSonHollandMoi

www.facebook.com/ChuaLinhSonHoaLanPhanPhapLy

Please pay attention to the website www.linhsonholland.nl as well.

Best regards,

Minh Tâm (Frank Visser)

On behalf of the board of the Linh Son Temple Foundation.

