

February 19, 2019

Sean, House of Von Dehn
No fixed address
c/o 249 Presland Avenue
Ottawa, ON K1K 2B6

by way of email to: gnosticwisdom37@gmail.com

Dear Sir,

Re: Notice of Application to Divisional Court for Judicial Review

I represent the City of Ottawa (the “City”) and act exclusively in the interest of the City. Accordingly, my comments may be partisan. I am not acting for you nor am I protecting your interests. You should therefore seek legal advice/representation. I have included, as an attachment to this letter, a list of legal resources that you may wish to consult, for little to no cost to you.

The City has received your Notice of Application to the Divisional Court for a Judicial Review. The City intends to file a Notice of Appearance and respond to the claim.

You have raised two issues for the Divisional Court to consider:

1. The handling of your complaint, regarding the Salvation Army, by the City; and
2. The denial of a shelter allowance, under Ontario Works, by the City.

1. Complaint Regarding the Salvation Army

The City has not yet concluded its investigation of your complaints received on November 29, 2018 regarding the Salvation Army. The City is of the opinion that until the investigation regarding the Salvation Army is complete, the Divisional Court cannot be asked to provide a ruling. In addition to this, in the event you disagree with the City’s determinations, the City is of the opinion that the Ontario Ombudsman is the proper forum for your complaint, not the Divisional Court. The Ontario Ombudsman investigates complaints against government organizations. Information on the role of the Ontario Ombudsman can be found online at: <https://www.ombudsman.on.ca/home>.

That being said, I do want to take this opportunity to inform you that the City’s Housing Services has shared your Letter of Complaint with the Management Team at the Salvation Army and that the City will be meeting with them, at the Shelter, to review each of your complaints and perform a visual inspection of the issues you raised. Following this, the City will make determinations and require the

Salvation Army to rectify any issue that the City concludes are in contravention of the City's Emergency Shelter Standards. The City will advise you of the outcomes of the investigation in due course.

2. Denial of Shelter Allowance

You have not yet obtained a final decision from the Social Benefits Tribunal regarding your shelter allowance under Ontario Works. Until a decision is issued by the Social Benefits Tribunal, the City is of the opinion that a Judicial Review should not occur.

I can confirm that your request for internal review of the January 25, 2019 Decision regarding your shelter allowance under Ontario Works has been sent to the Ontario Works office. As per the usual process, they will review the Decision and provide you with an internal review decision. As set out in the January 25, 2019 Decision letter, if you disagree with the internal review decision, you can file an appeal to the Social Benefits Tribunal. The process to do so is explained in the January 25, 2019 Decision letter, a copy of which is attached hereto for ease of reference.

In the meantime, if you have not already done so, I encourage you to contact the Social Housing Registry of Ottawa (www.housingregistry.ca, Address: 2197 Riverside Dr, Phone: 613-526-2088) to complete an application for subsidized housing.

As mentioned previously, I encourage you to consider consulting a lawyer to assist you with this matter.

Yours very truly,



Genevieve Langlais
Associate Legal Counsel

Attachments

List of Legal Resources:

Law Society Referral Service

The Law Society Referral Service connects people looking for legal assistance with a lawyer or paralegal. When you request a lawyer or paralegal referral online, they will give you the name of a lawyer or licensed paralegal who will provide a free consultation of up to 30 minutes to help you determine your rights and options, provided they have a match available. The Law Society Referral Service makes it possible to obtain referrals online, 24 hours a day.

You can start the process of obtaining a lawyer referral or paralegal referral at www.findlegalhelp.ca.

Community Legal Clinics

Community legal clinics provide information, advice, and representation on various legal issues, including social assistance, housing, human rights, and employment law. Some legal clinics do not handle all of these issues, but staff may be able to refer you to someone who can help. Below is the contact information for four community legal clinics:

- | | |
|--|--------------|
| 1. Community Legal Services Ottawa Centre, 1 Nicholas St, suite 422. | 613-241-7008 |
| 2. South Ottawa Community Legal Services, 1355 Bank St, suite 406. | 613-733-0140 |
| 3. West End Legal Services of Ottawa, 1301 Richmond Rd. | 613-596-1641 |
| 4. University of Ottawa Legal Clinic, 17 Copernicus St. | 613-562-5600 |

Legal Aid Ontario

Legal Aid Ontario gives low-income people access to a range of legal services tailored to meet their legal needs. You can obtain information at www.legalaid.on.ca

Pro Bono Ontario - Free Legal Advice Hotline

The hotline provides up to 30 minutes of free legal advice and assistance for civil issues. Information can be found at <https://www.probonoontario.org/>. The toll-free number for the hotline is 1-855-255-7256.

January 25, 2019

RE: 223269002

Sean VonDehn
171 GEORGE St
OTTAWA ON K1N 5W5

Dear Sean VonDehn:

I am writing to tell you about your request for:

- Shelter Allowance under Ontario Works.

The request has not been approved because:

- Tenants renting an Ottawa Community Housing (OCH) unit do not have the legal authority to rent out a room without consent from OCH.

If you do not agree with our decision

If you do not agree with our decision to deny your request for this benefit, you can ask us to review it. This is called an internal review.

You must ask for an internal review in writing by **February 28, 2019**. If you miss this deadline but you still want to ask for an internal review, you should write to us explaining why you were late. If you were late because of a reason beyond your control, we may be able to do an internal review even if the deadline has passed.

If we do not change the decision after the internal review, you can appeal to the Social Benefits Tribunal. If you do not ask for an internal review, you will not be able to appeal to the Social Benefits Tribunal and this decision will be final.

We have included additional information on how to ask for an internal review and appeal a decision with this letter.

If you have questions or need more information

If you would like to talk to someone about this letter or your case, please contact Orsi Vancsody by calling 613-580-2424 ext. 26429 or Anne Charette at 613-580-2424 ext. 24518.

Sincerely,

Anne Charette
Team Lead for the Ontario Works Administrator

Legislative Authority

Sections 8 of the Ontario Works Act, 1997
Section 55, 57.1-58.2, 67, and 69-72 of the Ontario Works Regulation 134/98

THE INTERNAL REVIEW PROCESS

If you do not agree with a decision about your Ontario Works case, you can ask for a review of our decision. This is called an internal review.

An internal review is done by staff at your local Ontario Works office. The person who does the review will not be the same person who made the decision you do not agree with. **You have to ask for an internal review before you can appeal to the Social Benefits Tribunal.**

What you need to do

To make your request, you must write a letter or fill out a **Request for Internal Review** form. You can get this form from your local Ontario Works office.

If you write a letter, you should:

- say "I am requesting an internal review"
- explain why you do not agree with the decision that was made (optional)
- attach any additional information that you think may help in the review
- include your full name and your member ID (this number is at the top of the decision letter)
- include your signature and the date.

Please **mail, fax or hand deliver** your internal review request to your local Ontario Works office within **30 days** of receiving the decision letter.

Things to keep in mind

- If you cannot send us your request within 30 days because of reasons beyond your control, we may still do an internal review. Just tell us in your request why you need more time.
- Keep a copy of your request – you will need it later if you appeal the decision to the Social Benefits Tribunal.
- If you do not request an internal review or you withdraw your request, the decision will be final and you will not be able to appeal to the Social Benefits Tribunal.

Results of the internal review

We should give you the results of the internal review within 30 days of receiving your written request. If you do not receive the results of your review within 30 days, you can appeal to the Social Benefits Tribunal.

THE SOCIAL BENEFITS TRIBUNAL APPEAL PROCESS

You have **30 days** to appeal to the Social Benefits Tribunal. Here is how it works:

- If you receive a letter telling you the results of the internal review, you have 30 days to appeal from the day you receive the letter.
- If you do not receive a letter telling you the results of the internal review within 30 days of your request being received, you have 30 days to appeal once the 30 days have passed.

What you need to do

To make an appeal, you need to fill out an **Appeal Form** and mail, fax or hand deliver it to the Social Benefits Tribunal. You can get an Appeal Form from your local Ontario Works office, from the Social Benefits Tribunal or from their website:

Social Benefits Tribunal
655 Bay Street, 14th Floor
Toronto, ON M7A 2A3
1-800-753-3895 (Toll Free)
1-800-268-7095 (Toll free TTY)
Website: www.sbt.gov.on.ca

If you would like legal advice

If you would like advice from a community legal clinic, you can contact Legal Aid Ontario at:

416-979-1446 (Toronto)
1-800-668-8258 (Toll Free)
TTY users can call:
416-598-8867 (Toronto)
1-866-641-8867 (Toll Free TTY)

You can also contact them online at www.legalaid.on.ca or by e-mail at info@lao.on.ca.