

LANDLORD LEGAL
Landlord/Tenant Law
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August 24, 2009

Mr. Bob Ward
President & CEO, Legal Aid Ontario
Atrium on Bay
40 Dundas Street West, Suite 200
Toronto, ON
M5G 2H8

Dear Mr. Ward:

Re: Misuse of Clinic Funds
XXXX v. XXXXX, Ontario Superior Court of Justice File No XXXXXX

We represent Ontario landlords Gary and Nancy XXXX, the defendants in the above-noted matter.

Our clients have been down a long and winding road at the hands of their former tenants, Lynda and Matthew XXXXX. Until recently, this matter was before the appropriate venue, the Landlord and Tenant Board.

Fact: these tenants have victimized at least eight Ontario landlords. Each case mirrors the one before. They have been evicted numerous times. To date, they have not paid any of the judgments obtained against them and in fact, their "MO" remains the same and their list of victims keeps growing. Not only do they fail to pay outstanding judgments for arrears of rent, they damage homes to a severe extent, leave "truckloads" of refuse behind, and in two particular cases, willfully caused further damage on their way out the door as they vacated these homes.

The Community Legal Clinic via Mr. XXXXX, counsel, took on this matter a good number of months ago, and is representing the tenants in the superior court action. Despite numerous opportunities to resolve the issues before the Board, the tenants, assisted by duty counsel, have chosen to victimize our clients further by taking this matter to a higher court.

Our representatives are paralegals and therefore, we are not permitted to represent our clients before the Superior Court. Our clients have suffered enormous financial and

emotional hardship at the hands of these tenants. We have represented them *pro bono* since March of 2009. Therefore, we have no financial interest in retaining carriage of this matter.

The issues are complex. The history is heartbreaking. The facts will exonerate our clients. What we all know, however, is that while the tenants are enjoying free representation thanks to Legal Aid Ontario, my clients are in essence being forced to dig into their own pocket to defend this most frivolous and vexatious action.

Unless the Community Legal Clinic in Orillia is mandated to represent **every** tenant that walks in their door, regardless of the facts, we believe that there has been a serious misappropriation of clinic funding. We are preparing to go public with our clients' story. Legal Aid Ontario should not in our opinion be assisting these clients. They should be responsible to retain and pay for their own counsel, just as the landlords are.

We are confident that the taxpayers of Ontario would be incensed, just as we are, to see their tax dollars appropriated in this manner.

Your prompt reply would be appreciated. All relevant documentation in support of our clients is accessible through this office, and we have been authorized to share it with you.

Regards,

C. April Stewart

cc: Gary and Nancy XXXX,
Board of Directors, Legal Aid Ontario,
Ontario Landlord Association Website (www.ontariolandlord.ca)
Landlord Legal Website (landlordlegal.ca)
Community Legal Clinic – Simcoe, Haliburton, Kawartha Lakes