



FLEMINGDON COMMUNITY LEGAL SERVICES
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FCLS NEWSLETTER SUMMER 2013

This Newsletter provides information about Flemingdon Community Legal Services and issues of interest to our community. For specific legal advice please consult the Clinic or a legal advisor.

PRESIDENT and EXECUTIVE DIRECTOR'S REPORT

This has been a very busy year and a very challenging year for the clinic. The work load has continued to increase, especially in the immigration area but also with a significant increase in housing issues. FCLS staff have mentored a number of pro bono law students, articling students, paralegal placement students and foreign trained lawyers over the past year. This is an important function of our clinic in order to ensure that the future generation of legal professionals understand the need to protect the legal rights of those living in poverty and those who are disadvantaged and vulnerable.

In late January, 2013 our landlord informed us that we must move from our office at 49 The Donway W. with very short notice, as they wished to demolish our office building. The move was accomplished in early February and the clinic was operational in our new temporary office at 1090 Don Mills Rd. within a day of the move. A great deal of credit goes to the staff for their hard work in ensuring the clients were being served during this time period. We hope to be moving into our permanent offices in the Thorncliffe Park area in August 2013.

Our clinic has been instrumental in the creation of the Transformation of the GTA general service Clinic project. We are the recipient under a Funding Application with Legal Aid Ontario and have financial and service responding accountability. This project will involve the 17 general service community legal clinics in the GTA. We will be working with consultants to determine the best use of resources to help provide high quality legal services to the disadvantaged in our catchment area.

We invite you to attend our AGM which will be held on Thursday, July 25th, 2013 at the Youth Service office of the Thorncliffe Neighbourhood Office (behind the East York Town Centre). Please see the notice provided in this newsletter for details.

Shamsh Kara,
President

Marjorie Hiley,
Executive Director

FLEMINGDON COMMUNITY LEGAL SERVICES

Invites you to our

33rd ANNUAL GENERAL MEETING

Thursday, July 25, 2013

Business Meeting (**voting members only**) at 6:30 - Guest Speaker and Social (**open to all**) at 7:00 pm

Topic: **GTA Legal Clinic Transformation Project**

Keynote Speaker: **Marjorie Hiley**, Executive Director, Flemingdon Community Legal Services

Our AGM will be held at: THORNCLIFFE NEIGHBOURHOOD OFFICE, YOUTH CENTRE EAST YORK TOWN CENTRE, 45 Overlea Blvd. Suite 108A (entrance behind the mall- south side)

LIGHT REFRESHMENTS

RSVP by July 22, 2013 to 416-441-1764 or email kalayjid@lao.on.ca

We look forward to seeing you

Sponsorship Changes are Coming

The Federal Government is proposing changing the rules for sponsoring parents, grandparents and children.

Sponsorship of parents and grandparents is now on hold but starting January 2, 2014 Citizenship and Immigration Canada (CIC) will start accepting new applications, but the rules will change. Starting January 2, 2014 if you want to sponsor your parents or grandparents you should know that:

1. The minimum necessary income (MNI) is going to increase by 30%;
2. You have to show that your income has been at that level for 3 consecutive years before you apply to sponsor (instead of the 1 year under current rules);
3. Proof of income must be an official Canada Revenue Agency Notice of Assessment; letters from employers and other documents are no longer accepted;
4. The sponsorship period is going to double to 20 years – currently the undertaking period is 10 years.

When it comes to children, any applications submitted on or after January 2, 2014 will require that dependent children be less than 19 years old and there are no exceptions for children over 19 who are attending school full time.

The Federal Conservatives say “no” to a Bill proposing a National Housing Strategy

On February 27, 2013, the Federal Conservatives voted against an NDP private members bill which proposed that the Federal government work with all levels of government and numerous other potential partners to develop a National Housing Strategy which would provide the framework for a plan to address the issues of homelessness and the lack of affordable housing from coast to coast to coast. The bill, known as Bill C-400 unfortunately was voted down before it was able to get to Committee. It is worth noting that every Conservative who cast a vote, voted against the Bill.

Our clinic had contacted both Conservative MPs in our catchment area for their thoughts on this. The 2 MPs are John Carmichael and Joe Daniels. Unfortunately, Mr. Daniels did not reply to our request, but John Carmichael did. In a meeting with him, he indicated that he felt the process as set out in the Bill was problematic and he didn't think much could be changed by sending it to Committee. However, he also said that he personally believes there are many MPs who are concerned about the affordable housing issue. If this view is shared by many Federal Conservatives, then we will watch how this idea evolves throughout this government's term.

No Tim Horton's drive-thru at 61 Overlea Boulevard

In January, 2012 a seven day hearing took place at the Ontario Municipal Board (OMB) involving an appeal by Imperial Oil of the City of Toronto's decision to turn down a proposed Tim Horton's drive-thru at 61 Overlea Boulevard. In August 2012, the OMB decision was released. The appeal by Imperial Oil was rejected so the drive-thru will not occur.

The site of this proposed drive-thru was located next to the East York Town Centre, just a short distance from the Thorncliffe Park Public School. It is currently a lube service and gas station and Imperial Oil proposed to convert it to a convenience store/restaurant/gas bar. The appeal concerned only the Tim Horton's drive-thru; the restaurant and convenience store are permitted by the zoning by-law.

Under the Planning Act, the owners of buildings within 120 metres of the proposed development would have been advised of the application. However, the local residents within the "affected area" are tenants. This raises an important question regarding whether the tenants are even informed of such an application since only the owners

within a designated area have to be. Clearly, it is the tenants who reside in the community and are much more likely to be impacted by such a development, rather than the owners, but as the law currently exists, only the owners need to be notified. The Board of Directors of Flemingdon Community Legal Services (FCLS) made a motion that a letter be sent to the provincial government expressing concern about the limitations of the Planning Act as it relates to providing information to residents within a given area, not just the owners of property. We have yet to receive a response on this issue.

FCLS had 2 of its Board members, Geoff Kettel and Parveen Amlani, make submissions to the OMB in opposition to Imperial Oil's appeal. Their submissions, in addition to those of other community representatives helped persuade the OMB that the appeal should be rejected. In making its decision, the OMB recognized that the city wants to make Thorncliffe Park more urban (less suburban) and the drive-thru does not fit this vision. Congratulations to those who successfully opposed the appeal.

In Celebration of the Life of Clementine Wang

It is with sadness that Flemingdon Community Legal Services learned the news of the passing of a long time member of our clinic, Mrs. Clementine Wang, of East York. Mrs. Wang has been an avid supporter of the clinic since 1989. She was a strong advocate in the strength of unions and the benefits for employment related issues; and in the strength of community advocacy for tenants' rights. Mrs. Wang attended many of our Annual General Meetings with the contribution of a beautiful cake to celebrate FCLS. We will miss you Mrs. Wang.



Mrs. Wang in the center of this picture receiving a Certificate of Recognition at our 2012 AGM from Marjorie Hiley

Housing Stabilization Fund 2013

In 2012 the Provincial Government made major changes to the Ontario Works and Ontario Disability Support Program "Community Start Up and Maintenance Benefit" also known as CSUMB. Starting 2013 funding provided for the prevention of homelessness to assist tenants pay for arrears of rent, utilities or assistance to move to a secure location would now be provided directly to municipalities. Each municipality would have to create their own Housing Homelessness Program and create their own guidelines and criteria to administer the fund until 2014. The

announcement also included a cut to provide money for home repairs to cover emergencies such as leaky roofs or repairs after a flood or fire.

In January 2013 the City of Toronto invested in the Community Homelessness Prevention Initiative (CHPI) to ensure emergency housing for persons receiving income support from Ontario Works and Ontario Disability Support Program. A person must be moving from a shelter, hostel or from the street, moving because of domestic violence situation, emergency moves and evictions. The Housing Stabilization Fund will provide a single/couple with a maximum of \$1600

(\$800 for rent, \$800 for moving costs) and a family with adult dependents up to \$2000 and families with children up to \$3000. One must apply through the Ontario Works caseworker and this decision cannot be appealed to the Social Benefits Tribunal.

The City of Toronto is currently reviewing this CHPI program and will be making recommendations for further funding and/or changes to the program for 2014.

Services Provided by FCLS

Flemingdon Community Legal Services is a general all purpose clinic. We provide service to our clients in the traditional five areas of clinic law: summary intake; legal representation; community development; law reform; and public legal education..

Community legal clinics are regulated by Legal Aid Ontario under the *Legal Aid Services Act*. Our services to the community are dependent on funding from LAO, on time restraints under legislation and regulations and on the availability of our caseworkers.

We have a limited legal disbursement budget provided to us by LAO. As a consequence while our legal services are completely free we do ask our clients to reimburse us for legal disbursements (such as medical reports or translations) to the best of their financial ability.

Who We Serve

For the general population we serve persons meeting our criteria:

1. live in our catchment area
2. meets our financial guidelines
3. requires help in an area of law that we practice

There may be times when the above criteria are met but service could be refused. This could include but is not limited to:

- a conflict of interest
- previous interaction at the clinic resulting in us refusing further service
- unavailability of staff

Membership at FCLS

We encourage you to join our community legal clinic as a member. There is no cost and the membership lasts for five (5) years.

In order to be a member you must live or work in our geographical catchment area from Bloor/Danforth on the South boundary to York Mills/401 on the North boundary and from Yonge Street on the West boundary to Victoria Park Avenue on the East boundary.

Members receive our newsletter, can participate on the Community Services Committee (need to apply separately for that), can attend our Annual General Meeting to vote on motions, and are invited to special events and workshop.