



## ANNUAL REPORT

**Parkdale**  
Community Legal Services

ANNUAL REPORT



# Contents

- 2** Message from the Board Co-Chairs
- 3** Highlights:  
Housing Rights Division
- 4** Highlights:  
Immigration Division
- 5** Highlights:  
Social Assistance, Violence and Health Division
- 6** Highlights:  
Workers' Rights Division
- 7** Report from the Finance Committee
- 8** Financials

# A message from the Board co-chairs

**We live in a time of significant change. While the current environment is particularly difficult for communities like Parkdale and Swansea, it also presents many opportunities for progressive action, and we have confidence that Parkdale Community Legal Services is strong and nimble enough to respond positively to new challenges.**

2012/2013 marked significant changes in the Canadian immigration legislation, particularly impacting our clients. We have been adjusting our services and will look forward to further assessing the changing needs for our services and responding to the identified challenges. We are concerned for the well being of newcomers in our community and the rights of refugees to find fair process in Canada for the determination of their status. Not only have we worked to express our concern about the impact of the changes, but PCLS assumed a significant role in the Sanctuary City initiative to ensure that Toronto is positioned to provide a safe home.

We are proud to be involved in a major research initiative that will track change in the enforcement of employment standards for workers in precarious employment. This type of research supports our work in law reform and our work for individual clients, improving conditions for low-income workers.

We have made strides in our community work, organizing renters in Parkdale to demand improved conditions in their housing and income support for their housing needs. We have seen positive results from the legal divisions within PCLS working together to make change.

Our strategic planning this year concentrated on preparation for change. Clinics throughout the Greater Toronto region are concerned that our current structures present challenges to meeting the changing needs of clients and communities and our ability to support optimum opportunities for access to justice. PCLS knows that our partnership with Osgoode and our commitment to providing student clinical education in a community clinic environ-

ment will present special concerns in considering and adapting to a changing region, but we are committed to participating in that process.

Board members enjoy the opportunities to work with staff, students and community members to help to effect positive change for the communities of Parkdale and Swansea. We are grateful to community members like Heinz and Darlene, our first two winners of our new Dorothy Leatch Award for recognition of community involvement, who also work to bring positive change by their work.

As Co-Chairs, we would like to thank every member of the Board of Directors for their volunteer service to PCLS and express our particular appreciation to the wonderful staff and students, to Academic Director, Janet Mosher, for her significant contributions during her term, to Des Levin, our steadfast outgoing treasurer and to our partners at Osgoode Hall Law School at York University.

May Haslam  
Andrea Margles



## Highlights

# Housing Rights division

**In 2012 – 2013 our division was renamed Housing Rights (formerly the Landlord & Tenant division) to better reflect the broad range of work carried out around issues of tenant rights, homelessness, and gentrification.**

High demand for our services persists and more than 80% of casework has involved defending against evictions. Through negotiations, collaboration with community agencies, and advocacy at the Landlord and Tenant Board, PCLS has helped tenants remain housed, challenge improper rent increases, fight illegal evictions, and demand proper maintenance of their units. PCLS continued to work with various community agencies to address tenants' needs. We have connected tenants with housing help, healthcare supports, income support services, and provided legal information to the community.

Our "Interviewing for Change" model of bringing community organizing perspectives into the client intake room resulted in a number of building-specific tenant meetings, educational workshops, and organizing campaigns.

After three years of protests, letter writing and meetings with Toronto Community Housing Corporation (TCHC) staff, the "Rent for Repairs" campaign at 75 Dowling succeeded in forcing TCHC to repair disastrous leakage and water erosion that had been ongoing for over twelve years.

The Parkdale Tenants Association's "Bring Back Rent Control and Freeze the Rent" Campaign intensified over the past year. The HR group went into the streets with members of the PTA and got thousands of people to sign the petition to bring back Rent Control. The overwhelming amount of enthusiasm and support we met on the street culminated in a successful rally for Rent Control. With the PTA, we attended information meetings in schools, drop-ins and apartment buildings. We also launched a new website and platforms on Facebook on Twitter dedicated to the Rent Campaign.

PCLS continues to work with other agencies on the

Rooming House Zoning Campaign to abolish discrimination in municipal zoning of rooming houses. In partnership with Rupert Community Inc, an advocacy group for rooming house tenants, there has been an appeal filed at the Ontario Municipal Board of the City of Toronto's failure to address rooming houses in its newly amalgamated zoning bylaws.

Throughout winter 2013, PCLS joined dozens of agencies and community organizations to force the City of Toronto to increase capacity in the emergency shelter system and take measures to prevent people from being turned away from shelters. PCLS contributed to a number of city-wide mobilizations and deputed to City Council on two occasions.

Both the HR and SAVAH divisions were heavily involved in the Raise the Rates campaign to save the Community Start-Up and Maintenance Benefit (CSUMB), a vital fund that assisted clients with emergency housing needs. We helped found the Parkdale Against Poverty committee which has organized town hall meetings and clinics to assist people apply for benefits and contributed to city-wide mobilizations. Though CSUMB was cut at the end of 2012, the province-wide campaign succeeded in winning \$42 million dollars of funding for eviction prevention. We are now advocating for expanded eligibility criteria for the Housing Stabilization Fund, the benefit which replaces CSUMB in the City of Toronto.

As a joint project of the Housing Rights, SAVAH, and Immigration divisions, PCLS has been outreaching to tenants in the 103 & 105 West Lodge Avenue towers, with special focus on outreach to the Hungarian Roma community. Door knocking and speaking to tenants about their housing and immigration rights has helped build PCLS's relationship with Parkdale's Roma community.

# Highlights Immigration division

**The Immigration division has continued our successful work with the Hungarian Roma community in Parkdale, representing some families with their refugee claims, seeking judicial review of refused refugee claims, Pre Removal Risk Assessments and deferral of removal applications, and assisting other Roma refugees obtain legal representation through legal aid certificates.**

We continue to be very much involved in work with the Tibetan refugee community in Parkdale, mostly in the area of family reunification of accepted refugees with their close family members from abroad. We have filed several applications for judicial review of the refusals to allow family reunification; in four cases, the Department of Justice has consented to a re-determination.

We have always prioritized issues affecting women and children facing domestic violence or other forms of serious harm, work with survivors of torture, and work with people with mental health challenges. This year we were successful in the humanitarian application of a woman who had fled a situation of domestic violence and won a challenging Pre Removal Risk Assessment involving a refused refugee claimant with a serious illness.

This past year has also been noteworthy for the immigration group in obtaining successful 'landings' of several clients whose applications had been delayed for years. One recently-landed client has been with the clinic since 2001.

2012-2013 saw the culmination of a successful community organizing campaign; Toronto has now become the first Sanctuary City in Canada. Undocumented people who are living in the City can now access City services without fear of deportation.

Finally, PCLS students and staff gave public legal education presentations throughout the year explaining changes to the immigration and refugee laws in Canada. Our staff lawyer also gave two presentations on the ethical issues involved in representing persons who have mental health challenges in immigration proceedings.



> PCLS staff and other Sanctuary City supporters awaiting council's vote.



# SAVAH division

(Social Assistance, Violence and Health)

**The SAVAH division continues to have a high success rate in helping clients to obtain Ontario Disability Support Program (ODSP) benefits by appealing their cases to the Social Benefits Tribunal (SBT). In 2013 we have so far won or settled 27 of these appeals (an 82% success rate) and in 2012 we won or settled 44 ODSP appeals (86% success rate).**

We assisted a number of survivors of violent crimes to win compensation awards from the Criminal Injuries Compensation Board. These awards totalled \$44,500 in 2012 and \$28,000 to date in 2013.

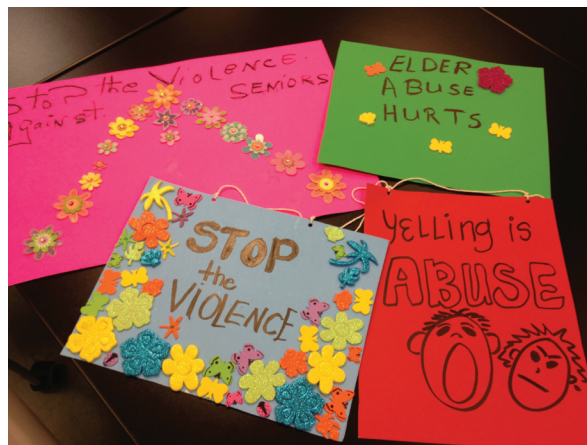
SAVAH has worked closely over the last year with the Housing Rights and Immigration divisions to track the impact of changes to Canada's immigration system on Roma refugee claimants. In the fall of 2012 we began to see a rising number of community members who had been cut off social assistance but also unable to work or return to their country of origin. We worked jointly on a public education campaign to raise awareness in the community of this issue, and developed legal strategies to ensure the financial security of these community members, including assisting clients appeal the termination of their benefits to the SBT.

SAVAH staff and students continue to be heavily involved in the ODSP Action Coalition, a coalition made up of community members and agency workers across Ontario who are seeking a more adequate and equitable ODSP program. Through the Public Awareness and Advocacy Committee, we held public legal education workshops and created webinars and lobbying kits that provide strategies for talking to politicians. We are also planning a two-day province-wide conference of educational workshops and political strategy sessions for people on ODSP.

PCLS also contributed toward a strategy paper for targeted poverty elimination in the city in partnership with the Alliance for a Poverty-Free Toronto.

Our work with seniors in the community continues to grow. In partnership with the Parkdale Community Health Centre, we worked closely with the Seniors' Advisory Group and helped them organize a well-attended forum on poverty issues. We also held training sessions on Old Age Security and Elder Abuse issues and organized our annual Parkdale Elder Abuse Awareness march.

We have also continued to build our partnership with CAMH to improve access to legal aid for people with mental health disabilities or who are involved with CAMH by hosting and hosted drop-in and public legal education sessions in CAMH's new Addiction Resources space.



>> A selection of posters done by our Seniors' Advocacy Group.



# Workers' Rights division

## Highlights

**The Workers Rights Group has recovered \$442,421 in unpaid wages, damages and entitlements for workers in 78 cases from April 28, 2012 to April 27, 2013! We opened 32% more files and closed 37% more files this year than the previous year. We have also been creative and assertive in enforcing workers' rights.**

Our highlights include:

- Convincing the Employment Insurance Commission to expand the definition of foster parent to include grandparents;
- Successfully arguing a precedent-setting case involving a live-in caregiver at the Ontario Labour Relations Board;
- Getting the Small Claims Court to assess moral damages against an employer for violating employment standards;
- Educating judges through our carefully prepared written and oral submissions on issues such as making negative inferences against employers who do not produce hours of work records, not reducing common law notice periods for low-level employees, and when work is deemed to be performed by live-in caregivers;
- Obtaining common law wrongful dismissal damages for numerous low-level workers, who historically often only received Employment Standards Act minimums; and
- Negotiating a favourable human rights settlement for seven garment workers.

As part of the provincial Stop Wage Theft Campaign, PCLS clients and members of the Workers Action Centre visited MPPs and employers who did not pay workers their wages and successfully pressured the Ontario government to commit \$3 million to improve employment standards enforcement in 2013/14.

PCLS and many allies launched the Campaign to Raise the Minimum Wage to increase the minimum wage to 10% above the Low Income Measure and index annually by the cost of living. Through our memberships in coalitions such as the Migrant Workers' Alliance for Change and the

Good Jobs for All Coalition, we have also contributed to campaigns to improve protection for migrant workers and address recent changes to Employment Insurance.

Along with several partners and co-leader York University, PCLS received a SSHRC Partnership Grant for a five-year research program to improve enforcement of employment standards among workers in precarious work by mapping violations of ES, documenting employer practices and workers' experiences of violations, and identifying best practices for ES enforcement. We are also partners in other research projects mapping working conditions for temporary foreign workers as well as labour market regulation and the development of good jobs across Canada.

Over the past year we have continued to assist the Caregivers' Action Centre, an organization of current and former Live-in Caregivers, by providing information about workers rights to caregivers at monthly meetings and policy support during meetings with government officials.

Finally, PCLS participated in consultations with the Employment Practices Branch concerning employment standards and precarious work and with the Prevention Council on developing a health and safety strategy for precarious workers. We also sat on the Advisory Committee of the Law Commission of Ontario's (LCO) Precarious Work and Vulnerable Workers project which released its final report in April 2013 to much media attention.

# Report from the Finance Committee

**Parkdale Community Legal Services has accomplished much work for clients and community this year, which, after all, is the reason we want to be good fiscal managers and accomplish as much with our resources as possible.**

Segal LLP has provided audited financial statements for this fiscal year, again unqualified except for the standard qualification made for all Canadian charities. We ended the year with a surplus of funding from Legal Aid Ontario, as a result of our managing conservatively against contingencies, such as wage settlements and LAO's new compensation funding model. We are requesting LAO not to reallocate this surplus, so that we can use it for further innovation projects at PCLS.

Donations to PCLS are increasing, which provides us with discretionary funds that we can spend in areas of particular need. A special thank you to all of our donors for your special support of our efforts.

The Board thanks Des Levin, Treasurer of PCLS from 2010 through 2013, for supporting the organization to reorganize its financial management, and also thanks the other Finance Committee members for their participation. We also appreciate the consistent help provided by the auditors at Segal LLP.



# Financials (unqualified)

## May 1, 2012 - April 30 2013

Excerpt from the audited financial statements (Segal LLP). The full report is available upon request.

	2012	2013
<b>Revenues</b>		
Legal Aid Ontario		
- Direct receipts	\$ 2,362,448	<b>2,429,070</b>
- Indirect receipts	61,515	<b>145,944</b>
LAO interpretation project	10,588	<b>27,729</b>
Osgoode Hall Law school		
- Annual	100,000	<b>100,000</b>
- Special	17,702	<b>5,600</b>
Law Foundation of Ontario grant	15,000	-
Donations	10,207	<b>17,251</b>
Other income	11,165	<b>1,051</b>
<b>Total</b>	<b>\$ 2,588,625</b>	<b>\$ 2,726,645</b>
<b>Expenditures</b>		
Salaries	\$ 1,662,547	<b>\$ 1,619,198</b>
Benefits	280,916	<b>288,620</b>
Professional dues	9,344	<b>10,003</b>
Board expenses	29,822	<b>24,594</b>
Communications	19,088	<b>18,162</b>
Occupancy	314,374	<b>296,182</b>
Equipment rental and maintenance	27,623	<b>24,138</b>
Supplies and services	53,084	<b>60,559</b>
Client services	45,379	<b>47,731</b>
Professional services	75,685	<b>77,992</b>
Staff development	14,851	<b>11,861</b>
Indirect payments	56,084	<b>132,007</b>
Legal disbursements	31,355	<b>24,315</b>
Project expenses	6,500	-
Amortization	10,757	<b>10,650</b>
<b>Total</b>	<b>2,637,395</b>	<b>2,646,012</b>
Excess of revenues over expenses (expenses over revenues)	(48,770)	<b>80,633</b>
Funds balance (deficit), start of year	198,133	<b>149,363</b>
Funds balance (deficit), end of year	149,363	<b>229,996</b>

## ANNUAL REPORT



# Parkdale

Community Legal Services

Parkdale Community Legal Services  
1266 Queen Street West  
Toronto, Ontario  
M6K 1L3

Tel 416-531-2411  
Fax 416-531-0885

Email: [info@parkdalelegal.org](mailto:info@parkdalelegal.org)  
Web: [www.parkdalelegal.org](http://www.parkdalelegal.org)

Charitable registration #10781 4972 RR0001

A project of Legal Aid Ontario and Osgoode Hall Law School of York University