

ONTARIO SUPERIOR COURT OF JUSTICE

BETWEEN:

BARRIE MUNICIPAL NON-PROFIT HOUSING CORPORATION

Plaintiff

and

LEAH DYCK

Defendant

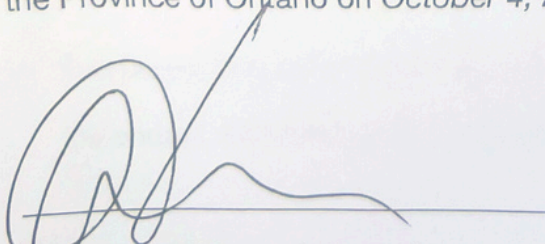
FILED AT BARRIE
DÉPOSÉ À BARRIE
OCT 04 2024
SUPERIOR COURT OF JUSTICE
COUR SUPÉRIEURE DE JUSTICE

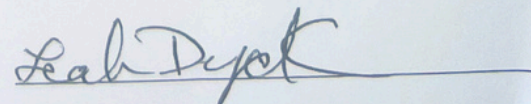
AFFIDAVIT OF SERVICE

I, Leah Dyck, of the City of Barrie, in the County of Simcoe, of the Province of Ontario,
MAKE OATH AND SAY:

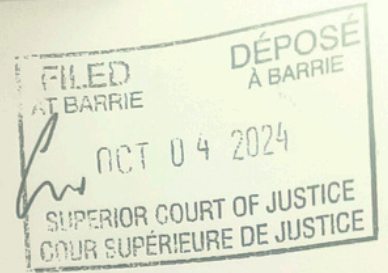
1. On consent of Riley C. Brooks, I served the Barrie Municipal Non-Profit Housing Corporation with the Statement of Defence and Counterclaim documents by sending a copy by e-mail to *rbrooks@hgrgp.ca* on October 4, 2024 to Riley C. Brooks, the lawyer for the Barrie Municipal Non-Profit Housing Corporation.

Sworn/affirmed before me: in person at the City of Barrie in the County of Simcoe of the Province of Ontario on October 4, 2024.


Signature of Commissioner (or as may be)


Signature of Deponent

STATEMENT OF DEFENCE AND COUNTERCLAIM



Admissions, Denials, Knowledge

1. The Defendant admits the allegations contained in paragraphs 4, 9, 10, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 39, 40, and 43.
2. The Defendant denies the allegations contained in paragraphs 5, 6, 7, 8, 11, 21, 38, 44 and 47.
3. The Defendant has no knowledge in respect of the allegations contained in paragraphs 37, 41, 42, 45, 46, 48 and 49 of the statement of claim.

October 4, 2024... Leah Dyck, 380 Duckworth Street, Barrie, Ontario, L4M 6J8,
(705) 718-0062

To The Barrie Municipal Non-Profit Housing Corporation (BMNPHC)

Parties

4. The Defendant, Leah Dyck does not have legal representation. Consequently, the Defendant will continue to represent herself.

5. The Plaintiff, the BMNPHC, at all material times, owns 14 properties in the City of Barrie, in the Province of Ontario.
6. The Defendant, Leah Dyck resides at one of the Plaintiff's properties; 380 Duckworth Street, and has been residing there, as a single mother, at all material times, in the City of Barrie, of the Province of Ontario.
7. The Plaintiff's property located at 380 Duckworth Street is currently managed by the SCHC.

Facts

8. The Defendant acknowledges that a contract was entered into between herself and the Plaintiff for housing services as a Rent-Geared-to-Income (RGI) tenant with Special Priority Status, and pays rental rates based on her income.
9. The Plaintiff does not provide their RGI tenants with financial breakdown documents showing how they determined or calculated the Defendant's rental rates. The Defendant contends that the Plaintiff did not fulfil their obligations under contract by changing rental rates with issuances of rental change notices, in addition to overcharging their RGI tenants rent with no intention of returning the overcharged funds, in 2020;

a) Sept. 28, 2021 - *"Since my income has gone down, will my rent amount be lowered as well?"*

b) Feb. 5, 2022 - *"Could you tell me my new rent amount and how much I'm now owing for the month of January?"*

c) Mar. 14, 2022 - *"Would you be able to tell me how much I owe for Mar. 1st?"*

d) Apr. 10, 2022 - *"So here's a screenshot I got from Soula White indicating that I have a credit on my account: ... I have asked Adele, and you, multiple times how much this credit is. No one wants to tell me... Can you guys please tell me how much this credit is?"*

e) Apr. 25, 2022 - *"I wanted to see if you found out yet if I'm allowed to get my money back? ... Or are you guys obsessed with making me starve and live in actual prison? Also, will you guys be letting everyone else know that they have also been overcharged? Or are you going to pretend like that didn't happen either and keep letting them make payments on their overpayment to ODSP each month? ...I intend to tell everyone in this building and all your other buildings who are on ODSP about this because none of you people can be trusted about anything. So this is a heads up of my intentions if BMNPHC continues to refuse to do the right thing and not give back all the money you know is theirs. I might even see if CBC radio would be interested in hearing about this massive theft as well... Maybe even CTV news would be interested in this as*

well. I'm sure you've seen my previous interview on CBC and CTV that's posted on the home page of my website: www.FreshFoodWeekly.com ? ... It's only going to infuriate me more if other starving people reach out to you and ask about their overpayment and they're ignored like I was for months.... As far as I know you could be lying just like Ashley did and you'll send me an eviction notice in May with a \$175 eviction fee in addition to my regular rent, just like she did. And then when I call you and ask you about it, you'll ignore all my calls and never call me back, just like Ashley did... you'll just keep sending eviction letters instead of admitting you made a mistake and then make me literally pay for it, just like Ashley did... I'll have to start recording calls with TapeACall and that costs money which you all know I don't have... But I will spend the few dollars I do have so you can't steal another \$175 from me for Karen's mistake and Adele's coverup (I specifically asked Adele about this and she pretended that I didn't ask when she re-calculated my rent... I'm furious... If you're wondering why I'm so furious, it's because you're all thieving witches... It's bad enough that you guys have stolen thousands, but you stole from a single mom and child who can't fucking eat! And if you didn't steal from me personally, you sit there and watch your co-workers do it OVER AND OVER again!! ... By doing nothing, you are just as guilty as the ones who keep stealing... Obviously I'm not in much of a position to do much right now - Of course I can try to expose your organization for what it's done, and just pray that someone else cares as much as I do about bullies taking advantage of their power and preying on the vulnerable. I will never forget the suffering your organization has caused me, my neighbours and everyone who lives here. It's literally traumatized me. Like, do I

sound like I'm okay? No, I sound like someone who can't tolerate abuse for another second!"

9. The Defendant contends the Plaintiff did not answer the questions the Defendant asked the Plaintiff, stated in the above paragraph 5, a to e.

10. The Plaintiff provided the Defendant with a partial tenant ledger on Aug. 28, 2024, and only after posting their non-responses all over Facebook and www.FreshFoodWeekly.com.

11. The Defendant contends that the recently provided partial ledger does not include a financial breakdown showing how the Plaintiff calculated the Defendant's overpayments in 2020.

12. The Plaintiff alleges; the overpayment was in the amount of \$2,628.53.

13. The Defendant does not know the true amount of her overpayment since the Plaintiff will not disclose this information to her via a financial breakdown explaining how they calculated her 2020 RGI rental rates.

14. The Plaintiff alleges; a systematic, extensive and vicious campaign of defamation with the express purpose and intent of injuring the BMNPHC's reputation, including a series of online posts which were broadcasted on the defendant's personal Facebook

page and website, www.FreshFoodWeekly.com, levying allegations relating to major crimes, fraud, harassment and other white collar crimes, as well as illegal evictions.

15. The Defendant disputes the claim that these posts' express purpose and intent is to injure the Plaintiff's reputation. It is the Defendant's position that if injury has occurred, it is a side effect of their deliberate coverup of major crimes, including but not limited to; fraud. The Plaintiff's alleged injuries were not the purpose or intentions of the public posts. The Defendant contends the purpose and intention of these posts are to encourage readers to assist her in getting a criminal investigation and/or forensic audit conducted on the Plaintiff, which would put a stop to their major crimes, including fraud, breach of contract, breach of privacy, and illegal evictions, as well as force the Plaintiff to return all their RGI tenant's stolen rent money.

16. The Plaintiff alleges; the BMNPHC has not been investigated for any criminal wrongdoing.

17. The Defendant does not have any knowledge of investigations being conducted on the BMNPHC.

18. The Plaintiff alleges; Leah Dyck is disseminating defamatory letters to other BMNPHC and Simcoe County Housing Corporation (SCHC) tenants, making defamatory verbal statements to tenants and to the public, and attempting to unite or

recruit, on false pretences, other tenants into fabricating complaints against the BMNPHC and/or the SCHC.

19. The Defendant acknowledges letters were delivered to tenants. However, the Defendant denies attempting to unite or recruit, on false pretences, other tenants into fabricating complaints as the Defendant doesn't lie. The Defendant further contends that the purpose of these letters were to inform tenants of the Plaintiff's criminal wrongdoing. It is the Defendant's position that these letters did not ask other tenants to take actions. The Defendant contends these letters were informative in nature, including the act of informing tenants of a private Facebook group they can join if they'd like to witness and/or participate in conversations about the BMNPHC and SCHC's thefts, illegal evictions, breach of contract, breach of privacy, and other criminal wrongdoing. Furthermore, the Defendant requests the Plaintiff to point-out which statement(s) in this letter are attempts to incite or recruit, on false pretences, other tenants into fabricating complaints against either the BMNPHC or the SCHC, or anyone else at all.

20. The Plaintiff demands the Defendant remove defamatory posts relating to the BMNPHC and/or the SCHC, as well as cease further defamatory statements, as well as a public retraction and apology.

21. The Defendant denies making defamatory posts about the Plaintiff. The Defendant will absolutely not stop making true public posts and statements about the Plaintiff's

major crimes, including fraud, breach of contract, breach of privacy, and other white collar crimes she is aware of, and/or becomes aware of. The Defendant will absolutely not remove any current or future posts or statements made in any public or private forums, until the Plaintiff has provided evidence of no criminal wrongdoing. The Defendant will absolutely not make a public retraction or apology, unless an investigation is done and proves the Plaintiff returned all her stolen funds, as well as all the stolen funds from other RGI tenants. The Defendant agrees to make a public retraction and public apology only after a criminal investigation and forensic audit is concluded and reveals the Plaintiff has not committed major crimes, including fraud, breach of contract, breach of privacy, and illegal evictions.

COUNTERCLAIM

22. The Defendant claims the Plaintiff is covering-up major crimes of fraud, breach of contract, breach of privacy, and illegal evictions.

a) On July 25, 2024, the Defendant submitted a complaint about the Plaintiff's major crimes to the City of Barrie. On Aug. 6, 2024, the City of Barrie responded; *"Good Afternoon Leah. Thank you for contacting Service Barrie to share your concerns and frustrations. Please contact the each of the private organizations directly for financial accounting records. I understand that you have contacted each organization and I believe you have the contact details for them but in the event you do not, The Barrie non profit Housing head office can be contacted at # 705-727-0414 and the*

Simcoe County Housing contact number is # 705-735-6901. If you need anything else, now or in the future, please feel free to contact us again. Kind Regards, Cindy.

b) On July 25, 2024, the Human Rights Tribunal of Ontario (HRTO) served the Plaintiff, which was assigned HRTO File #: 2024-57438.

c) On Aug. 20, 2024, Ontario Ombudsman Paige McWilliams informed the Defendant via telephone that the Ontario Ombudsman does not have jurisdiction over the BMNPHC or the SCHC because of the way their corporations are structured.

d) Between June 18, 2024 and Sept. 30, 2024, the Defendant reached out to nearly 300 lawyers requesting pro bono legal services. The first batch of lawyers were class action lawsuit lawyers. The second batch was employment law lawyers, and the third batch was Constitutional Law Lawyers. None were willing to help her.

e) On Oct. 1, 2024, the Defendant submitted a complaint to the Barrie Police; *"The Barrie Municipal Non-Profit Housing Corporation (BMNPHC) has been overcharging their Rent-Geared-to-Income (RGI) tenants' rent since at least 2020, but probably since 2016 or 2017, since that's when their current CEO, Mary-Anne Denny-Lusk arrived. RGI tenants are charged rent based on their income. In 2020, when the pandemic happened, there was a period of 4-6 months in which no one was allowed to physically go to work. As a result, anyone in receipt of social assistance was given the max amount they were eligible for. For me, I was in receipt of ODSP and CPP Disability. For ODSP, I was only eligible for about \$850/month. However, during this 4-6 month period, I received around \$1300/month from ODSP and around \$1200/month from CPP*

Disability. Although I have to pay most of it back, the BMNPHC charged me and all their other RGI tenant's rent based on all these amounts. The BMNPHC won't provide a financial breakdown of how they determined rent rates for me or for any of their RGI tenants in all of Simcoe County, which is Ontario's largest County. I have no idea how much they've stolen. The only way to know how much they've overcharged their thousands of RGI tenants is if an investigation is launched. I also have a website: www.FreshFoodWeekly.com, which I've posted a lot of evidence and information about this, as well evidence about another serious matter, which is that the Ontario Ministry of Children, Community and Social Services (CCSS), as well as Employment & Social Development Canada (ESDC) has blocked thousands of disabled and elderly residents from receiving regular CPP, CPP Disability, OAS and the GIS. I learned this through FOI requests I sent because I was doing research for a PSI Foundation grant with Dr. Matthew Orava at the Barrie Family Medicine Teaching Unit (BFMTU). I have these matters submitted to the Human Rights Tribunal of Ontario (HRTO), but a lawyer I spoke to last week told me the HRTO is five years back-logged."

f) On Oct. 1, 2024, the Barrie Police responded to the Defendant's online complaint submission:

"This is a civil matter and you need to seek advise from a lawyer. Police are not allowed to become involved in civil disputes. Reported as police information only. No further actions required at this time. This file can be closed, pending further information. Sincerely, Jamie Zohr, Police Constable #6056. Operational Services - Alternate

Response Unit (ARU) Barrie Police Service, 6056@barriepolice.ca, #705-725-7025 ext. 2608”

g) On Oct. 3, 2024, the Defendant called Jamie Zohr and learned the Barrie Police cannot execute a subpoena or search warrant for the financial breakdown documents showing how the Plaintiff’s calculated any of their RGI tenants’ rental rates.

h) On Oct. 3, 2024, the Defendant called Legal Aid Ontario again, at (1-800-668-8258) and was told this is a criminal matter, and to call the Legal Community Clinic for Simcoe, Haliburton, Kawartha Lakes. The Legal Community Clinic for Simcoe, Haliburton, Kawartha Lakes told the Defendant they do not handle criminal or civil matters. The Defendant called Legal Aid Ontario back and they informed the Defendant that they can only defend criminal charges and do not pursue them.

23. The Defendant claims the Plaintiff does not have a process for handling complaints. The Defendant is requesting a Motion for Discovery at the expense of the Plaintiff. The Defendant is not familiar with court processes or proceedings. The Defendant urges the court to not waste time and resources on oral discoveries. The Defendant urges the court, with respect, to force the Plaintiff to provide documents that clearly demonstrate how the Plaintiff and the SCHC calculated the Defendant’s rental rates for the entire year of 2020. The Defendant further urges the court, with respect, to force the Plaintiff to provide documents that clearly explain how the Plaintiff and/or the SCHC calculated

their RGI tenant's rental rates for each month of 2020, and to provide these documents to their corresponding RGI tenants immediately. The Defendant further urges the court, with respect, to assign a Federal Housing Advocate to launch a criminal investigation into the Plaintiff's business operations regarding all monies received from all levels of government since 2016 to present, at the Plaintiff's expense.

Date October 4, 2024

Address of court office: 75 Mulcaster Street
Barrie, ON L4M 3P2

TO: RILEY C. BROOKS
190 Cundles Road, East, Suite 107
Barrie, Ont., L4M 4S5
(705) 737-1249 ext. 171

Courts of Justice Act

BACKSHEET

BARRIE MUNICIPAL NOT-PROFIT
HOUSING CORPORATION
Plaintiff

-and-

LEAH DYCK

Defendant

Court File No.

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at
BARRIE

STATEMENT OF DEFENCE AND
COUNTERCLAIM

LEAH DYCK
October 4, 2024

rbrooks@hgrgp.ca

RCP-E 4C (September 1, 2020)

