

**ONTARIO SUPERIOR COURT OF JUSTICE**

**B E T W E E N:**

**BARRIE MUNICIPAL NON-PROFIT HOUSING CORPORATION**

Plaintiff / Moving Party

and

**LEAH DYCK**

Defendant

**REQUEST TO ADMIT**

YOU ARE REQUESTED TO ADMIT, for the purposes of this proceeding only, the truth of the following facts:

1. On April 13, 2022, Barrie Housing Tenant Service Worker Soula White stated in an email to the Defendant, Leah Dyck, that the accounting department was in the final stages of auditing the Defendant's account file, due to the amount of the credit and they were ensuring the credit in issues was a true credit.
2. On April 26, 2022, Barrie Housing CEO, Mary-Anne Denny-Lusk had a phone call with the Defendant, in which the Defendant informed Mary-Anne that the phone call was being recorded.
3. On April 26, 2022, Mary-Anne told the Defendant at time-stamp 1:04: *"But there is a large credit and a significant portion we can absolutely release..."*
4. On April 26, 2022, Mary-Anne told the Defendant at time-stamp 12:48: *"...So I can actually, if you like, when we do our calculations, because I'm assuming that this is all you making overpayments because if you're double-paying on your rent, we owe that money back to you, not to ODSP."*
5. On April 26, 2022, Mary-Anne told the Defendant at time-stamp 13:06: *"And I see the BMO payments come in and the ODSP payments come in..."*
6. On April 26, 2022, Mary-Anne told the Defendant at time-stamp 17:05: *"... and, we'll communicate that with you. Like, we'll break-it-down; this is how much is going to you, this is how much is going to ODSP, and then by the end of this, your balance should be zero."*

YOU ARE REQUESTED TO ADMIT, for the purposes of this proceeding only, the authenticity, pursuant rule 51.01 of the Rules of Civil Procedure, of the following documents:

7. The audit document your accounting department conducted on the Defendant's account file in April 2022.

Attached to this request is a copy of the email from Soula White sent to the Defendant on April 13, 2022, which indicates the audit in issue. Additionally, attached to this request are written portions of the transcript of the recorded phone call between Mary-Anne Denny-Lusk and the Defendant, which took place on April 26, 2022, and that show the statements made by Mary-Anne Denny-Lusk regarding the audit in issue. The audit itself is not being attached because, despite requesting it from the Plaintiff many times, the Plaintiff has consistently denied its existence, and the Plaintiff's lawyer, Riley Brooks, stated it was not a CRA audit, after he denied its existence to the Honourable Justice V.V. Christie on October 29, 2024 during the virtual urgent motion hearing.

YOU MUST RESPOND TO THIS REQUEST by serving a response to request to admit in Form 51B prescribed by the Rules of Civil Procedure WITHIN TWENTY DAYS after this request is served on you. If you fail to do so, you will be deemed to admit, for the purposes of this proceeding only, the truth of the facts and the authenticity of the document set out above.

**DATE:** November 13, 2024

**Leah Dyck**

Self-represented Defendant

507-380 Duckworth St.

Barrie, ON L4M 6J8

Tel: (705) 718-0062

Email: Leah.dyck@icloud.com

TO

**HGR Graham Partners LLP**

Lawyer of the Defendant

190 Cundles Road East, Suite 107

Barrie, ON L4M 4S5

Tel: (705) 737-1249 ext. 171

Email: [RBrooks@hgrgp.ca](mailto:RBrooks@hgrgp.ca)

RCP-E 51A (July 1, 2007)



**Soula White**

RE: Credit

To: Leah Dyck

April 13, 2022 at 1:38 PM



**Siri Found a Contact**

Soula White

soula@barriehousing.com

Add



Hi Leah,

We appreciate your patience. I heard back from accounting and the hold up on the review of our file is because of the amount of the credit. It is in the final stages of being audited to make sure it is a true credit. We hope to have approval by today latest tomorrow.

Thank you,

**Soula White**

(she/her)

Barrie Housing

Tenant Service Worker

549 Yonge Street, Barrie – Common Room

705-727-0414 ext. 106

[soula@barriehousing.com](mailto:soula@barriehousing.com)

[See More from Leah Dyck](#)



**Leah Dyck**

Re: Credit

To: Soula White

April 13, 2022 at 3:44 PM

No problem!

Thank you very much for getting back to me about this!

Leah

Sent from my iPhone

| On Apr 13, 2022, at 1:38 PM, Soula White <[soula@barriehousing.com](mailto:soula@barriehousing.com)> wrote:

**Transcript of the recorded phone call between Leah Dyck and Mary-Anne Denny-Lusk on April 26, 2022:**

**Leah:** Hello

**Mary-Anne:** Hi Leah, it's Mary-Anne, how are you?

**Leah:** I'm good, how are you doing?

**Mary-Anne:** I'm good, that was a little while to click that in didn't it.

**Leah:** Yeah, I haven't used the app in a while. I used to use it a lot when I did interviews hockey players.

**Mary-Anne:** Yeah, that would make sense. Okay, so, umm, I was just getting caught up with your email, and I just want to know if you want to start the conversation and where you want to start. There's a lot there to talk about.

**Leah:** Well, I don't think - like, the only thing I wanted to know was, will I get the money because the thing I care about most right now is the fact that I don't have a car right now, umm, and I'm so angry that you guys are trying to figure out if you're going to give it back or just keep it as a credit, umm, so I don't know - like, it's going to get me really upset if you just say, like, all this bad news...

**1:04** **Mary-Anne:** No, no, no, no. So, as I'm talking with Soula as well, so the credit is yours. Absolutely we'll pay it back. So the issue we had with the balance was just because ODSP was paying some of it as well. We- if there's a double payment from ODSP, we just need to see if they want us to return that money back to them, or if we can give it to you. That's all. But there is a large credit and a significant portion we can absolutely release before we even talk about that; the ODSP piece.

**Leah:** Okay.

**Mary-Anne:** Mhmm.

**Leah:** I still don't know how much my fix will be, or if its even fixable, and if it's not even fixable, there's a chance my engine my just be shot and I can't even fix it, and if that's the case, then I like, I can't buy a car no matter what, so, and maybe the fix is only

**Mary-Anne:** ODSP is paying your full rent? So what I'm seeing is I see you making a payment and ODSP making a payment. Are you making a payment as well?

**Leah:** To, to who?

**Mary-Anne:** For your rent. Are you making monthly payments to Barrie Housing for your rent of \$152?

**Leah:** Yeah, I was but I wasn't going to just because of the credit but should I should I keep doing it though?

**Mary-Anne:** No because ODSP is paying your full rent you don't know what's anything in rent anymore. ODSP is covering your whole \$152 in rent.

**Leah:** So they pay you directly?

**Mary-Anne:** Yes.

**Leah:** I had no idea.

**Mary-Anne:** Yes, so that's where a lot of this credit's coming from. Since they started paying in October, you've also been paying. Yes. Did they tell you how much your credit is right now?

**Leah:** No. Well Soula told me yesterday the day before it was \$2,600.

12:48

**Mary-Anne:** Yes. So I can actually, if like, when we do our calculations, because I'm assuming that this is all you making overpayments because if you're double paying on your rent we owe that money back to you not to ODSP.

**Leah:** So that's why it's so high.

**Mary-Anne:** Mhmm.

**Leah:** okay, because I was kind of thinking like, that's really high even for the explanation I got, but yeah, okay.

13:06

**Mary-Anne:** Yeah so you've been paying it because I see your bank of Montreal, right? And I see the BMO payments come in and the ODSP payments came in, so you can stop, you don't need to pay us unless ODSP stops.

**Leah:** Okay, okay and I told Ryan when I talked to him last week I am not planning to get a job because my mental health; I just can't take it.

**Mary-Anne:** Okay.

**Leah:** Yeah, which is unfortunate but my long-term, my long-term plan is when I get funding I'll pay for I'll get a salary like that might not happen for two years but that's that's like I just like when I was working I got a job in January for three and a half weeks and just one girl there, so the rules are; don't come in unless you take your temperature, obviously, for the COVID. And she started making me wait outside for like 15 minutes and since it was January, it's like, minus 20, so I started wearing a snowsuit and I was like, really bundled up because she was forcing me to wait forever and it wasn't fair, and anyways, I would start to overheat and so my temperature would be too high and she would try to convince the manager that I have COVID and then I would have to take a COVID test and it would come back negative and I have no coughing; no other symptoms. I'd just telling her you're making me overheat and she would try so hard to convince them that I have COVID and to not let me into the building and this started happening every day and it would take like an hour for me to actually get into the frickin' building because of her and I'm like I can't I literally can't handle this like I'm just coming here to work and this girl is making my life living hell because she's obsessed with making me not come in. I don't even know why, so yeah, everywhere I go something like weird like that happens.

**Mary-Anne:** Okay.

**Leah:** So I just- I can't handle one more person doing that and also minimum wage or even like anything less than 25 bucks an hour is not enough. It's not enough. Like, it's enough to eat, but if my car broke down like it just did, that 19 bucks an hour, which is what I was getting, isn't enough to fix it. Like, my gas tank leaks and I can only fill my gas up half a tank.

**Mary-Anne:** Yes, so let me, like I said, let me check with Soula because if a portion of it does have to go to ODSP, which I'm not seeing it does, we have to get their permission.

**Leah:** I understand that.

**Mary-Anne:** And your worker's name was what you said was Ryan?

**Leah:** Mhmm.

**Mary-Anne:** If you could, not that I'm thinking we need to, but do you have an email address or a phone number for him that you could send to me?

**Leah:** It should be written right on that letter.

**Mary-Anne:** Okay.

**Leah:** Do you see it there? It's not, I can, my correspondence with him has always been through my benefits through my phone, but I can - I know his phone number is on there, but if it's not, let me know.

**Mary-Anne:** So if we, yeah, if we determine that that's, if a portion of it is owing to ODSP, we can reach out to ODSP and see what they want to do.

**Leah:** Okay.

**Mary-Anne:** And then we can get back to you.

**Leah:** Okay. And if they say they require it, I understand that. I'm not going to be unreasonable, so I appreciate that.

17:05

**Mary-Anne:** Yeah, and we'll just communicate that with you. Like, we'll break it down. This is how much is going to you, this is how much is going to ODSP, and then by the end of this, your balance should be zero.

**Leah:** Okay, perfect.

*Courts of Justice Act*

**BACKSHEET**

**LEAH DYCK**

*-and-*

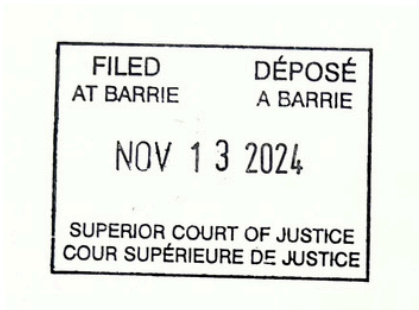
**BARRIE MUNICIPAL NOT-PROFIT**

**HOUSING CORPORATION**

*Defendant*

*Plaintiff*

*Court File*



ONTARIO  
SUPERIOR COURT OF JUSTICE  
PROCEEDING COMMENCED AT  
BARRIE

Request to Admit

LEAH DYCK  
November 13, 2024

**Leah Dyck**  
507-380 Duckworth St.  
Barrie, ON L4M 6J8  
Tel: (705) 718-0062  
Email: leah.dyck@icloud.com

Self-represented Defendant

RCP-E 4C (September 1, 2020)