



Kensington-Bellwoods Community Legal Services



**Annual Report
2018-2019**

www.kbcls.org

OUR PURPOSE

Kensington-Bellwoods Community Legal Services is committed to providing legal assistance to low income persons in the area bounded by Ossington Avenue /Strachan Avenue, Yonge Street, Bloor Street and Lake Ontario. This includes providing summary advice, representation and assistance, as well as referral on non-legal matters of concern to clients; community outreach; community organizing; community education; and organizing law reform activities aimed at improving the legal and economic status of low income persons in Ontario.

Our goal is to work towards the elimination of poverty in our society, and to ensure equality before the law. To that end we are committed to working with other individuals and groups who share that goal, and to community organizing to bring about changes in the law that improve the legal and economic status of low income people in Ontario.

Kensington-Bellwoods Community Legal Services is committed to a policy of non-discrimination on the basis of race, creed, colour, national origin, political or religious affiliation, sex, sexual orientation, age, marital status, family relationship and/or disability.

KBCLS BOARD

Ted Brook, Chair
Emily Mackay, Treasurer
Zachary Tucker-Abramson, Secretary
Gary Newhouse, Past Chair
Herman Ellis
Alberto Lalli
Yu Lung
Morli Shemesh
Jonathan Hill (Resigned)
Yukun Zhao (Resigned)

Kensington-Bellwoods

Community Legal Services

489 College St. Suite 205
Toronto, Ontario M6G 1A5
Tel: 416-924-4244 Fax: 416-924-5904
www.kbcls.org

KBCLS CORE STAFF

Wendy Atkinson, Clinic Coordinator
Nina Hall, Staff Lawyer
Melissa Jean-Baptiste, Staff Lawyer
Mindy Lopes, Community Legal Worker
Tim Maxwell, Community Initiatives and Communications
Laura Mulder, Support Staff (on leave)
Rosa Tavares, Support Staff
Lee Tenenhouse, Staff Lawyer

TEMPORARY/PT CONTRACT STAFF IN 2018-2019

Gladys Inegbenosun, Support Staff (presently engaged)
Nathaniel Ng-Cornish, Lawyer (presently engaged)
Bernadette Tavares, Support Staff (presently engaged)
Aden Benarroch, Law Student (contract concluded)
Chaline Fulgence, Clinic Support Worker (contract concluded)
Fei Kuo, Mandarin Mini-Clinic (contract concluded)
Jinnan Li, Law Student (contract concluded)
Claudio Tapia, Intake Worker (contract concluded)

COMMUNITY DEVELOPMENT VOLUNTEERS

Jo-Tzu Huang
Shulan Tien

KBCLS is financially supported by Legal Aid Ontario

CONTENTS

Message from the Chairpage 3
Challenges in Housing Lawpage 4
In the Communitypage 5
Humanitarian and Compassionate Immigration Workpage 6
Financial Reportpage 7
Caseload Infographicpage 8



Conference of Community Partners on Provincial Budget, June 26, 2019, North York Civic Centre (T. Maxwell)

Message from the Chair

Ted Brook, KBCLS Board Chair

Kensington-Bellwoods Community Legal Services has been providing legal advice and representation to low-income people in our community for over thirty-five years. Kensington-Bellwoods is part of a network of community legal aid clinics throughout Ontario funded by Legal Aid Ontario.

We are a small organization, but the work that we do is essential. The services that we provide are needed. By giving support and guidance to our community members as they navigate complex legal and bureaucratic systems, and advocate for social change and improvement, Kensington-Bellwoods makes our community stronger, more resilient, and better equipped to face the challenges of social, racial and income inequality that continue to exist in our society today.

Our community has faced significant challenges this past year. In April 2019, Legal Aid Ontario introduced significant funding cuts to community legal aid clinics across Ontario. The annual funding for Kensington-Bellwoods alone was cut by over \$95,000.00. To be frank, these cuts have been devastating. And to make matters worse, the funding cuts were imposed retroactively, making it harder for Kensington Bellwoods to absorb the impact of the reduced funding during our fiscal year.

I cannot count how many hours the staff and board members of Kensington-Bellwoods spent during the months that followed working on strategies to implement these cuts in a manner that would impact our community members as little as possible. It was during the darkest of this period that I became the interim Chair of the board. I have lived in Kensington-Bellwoods' catchment areas for about five years. I have been a member of the board for about three years. During that time, I have come to know many of the staff and board members well. It was an honour to be asked to step forward this summer and help steer our clinic through a difficult time.

However, I have great hope for the future of Kensington-Bellwoods. I have hope because of the outstanding staff that work for Kensington-Bellwoods. They are the reason why Kensington-Bellwoods' doors remain open today – five days a week. They are the reason why our clients are not falling through the cracks. I am proud to say that, working together, the staff implemented an hours reduction plan that permitted Kensington-Bellwoods to absorb the funding cut without laying-off any staff members. This reduction of hours has not been easy for anyone. There have been bumps, and there have been disagreements. But we have resolved them. The hours reduction has required great sacrifices from all of our staff members, and those sacrifices have not gone unnoticed or unappreciated.

(Continued on Page 8)



Kensington Avenue Tenants Meeting, May 9, 2019, St. Stephen in-the-Fields Anglican Church (T. Maxwell)

Challenges in Housing Law

Nina Hall, Staff Lawyer

Housing law has continued to be our busiest area of practice again this year with very high volumes of summary advice and brief services provided regarding all manners of rentals and representation in Landlord and Tenant Board proceedings where the type of rental fell within the protections of the *Residential Tenancies Act*. Our emphasis has continued to be on the representation on eviction prevention matters. Toronto's affordable housing crisis is well over a decade old and our downtown community is at the center of it. Assisting clients in accessing benefits they are entitled to and negotiating reasonable payments plans when they fall behind in rent is an important part of our work. So too is educating tenants about their rights in housing through public legal education and facilitating access to our service thanks to close relationships with referring agencies especially those who support clients with mental health challenges.

Our Seniors Initiatives of the past months have highlighted the extreme vulnerability of pensioners in this volatile housing market. The lack of affordable housing leaves our clients prey to unscrupulous landlords using Owners Own Use and Demolition or Extensive Renovation type applications to displace long standing tenants in what are becoming known as "Renovictions". Though the *Residential Tenancies Act* provides Tenants with a right of return post renovation, in most circumstances, which some Landlords are actively thwarting by renting to new tenants at a higher rate – leaving the displaced original tenant with weak financial remedies only. Those in no way make up for the loss of their affordable home. KBCLS has been active in fighting these application as well as in supporting tenants organizing around such issues in their buildings, notably in the Kensington Market working with our community partners including St. Stephen's Community House and the Friends of Kensington Market.

A quarter of our housing intakes relate to maintenance and pest infestation problems as low income tenants in our service area are subjected to poorly maintained rental units. An equal number relate to vulnerable tenants facing eviction by their social housing providers for issues including retroactive rent charges in rent geared-to-income housing; excessive clutter and allegations relating to behaviour. In most of these cases our clients are extremely vulnerable and require accommodation under the *Human Rights Code of Ontario* not only from their landlords but also in how we, as a community based clinic, provide legal services to them.

Liz came to Kensington-Bellwoods for assistance in establishing the correct rent for her apartment. TCHC had been adding on hydro costs and Liz was paying more rent than was actually due. "Kensington-Bellwoods helped me get my rent lowered to the proper amount. It even resulted in other tenants in my building getting a reduction in rent. This wouldn't have been possible without help from the legal clinic. I highly recommend their services to the community!"



Seniors Info Fair and Social, November 28, 2018, Leonardo Court (T. Maxwell)

In the Community

Tim Maxwell, Community Initiatives and Communications

We continue to provide Public Legal Education sessions in cooperation with our community partners. While tenant rights, employment law, immigration and income security are our core areas of law in which we provide legal services, we have also brought in other experts to provide information on other areas of law in which we cannot provide services, such as wills, estates and powers of attorney.

Our community work always involves either supporting broad-based campaigns such as Fair BnB or the Fight for \$15 and Fairness, or developing focused local initiatives with our community partners, such as seniors' engagement with Scadding Court Community Centre, St. Stephen's Community House, University Settlement, Waterfront Neighbourhood Centre and Carefirst Seniors Services. We have also supported the initiatives of other partners, such as Butterfly in their efforts to preserve the rights of spa and salon workers in the midst of a municipal review of holistic Spa regulations that impact them, and Mayworks Festival, in their creative and engaging programs highlighting the struggles of working people. And we continue to support the Kensington-Chinatown Local Immigration Partnership network in regular knowledge exchange and the development of the Annual Newcomer Welcome Fair.

In the last year we have seen drastic cuts to many provincially funded services and benefits for low-income people, as well as rollbacks to tenant protection, workers rights, refugee assistance and benefits for people with disabilities. On top of this, we were also hit with significant cuts to Legal Aid, the community legal clinic system and our own legal clinic. We joined a broad-based fightback campaign, supporting provincial outreach and organizing efforts and we organized a town hall with other legal clinics to engage the community in the fightback. Working with the Toronto Neighbourhood Centres, we also organized a conference of community organizations to explore ways to respond to the provincial budget and protect our communities. The struggle continues. Follow us on Facebook and stay in touch:

<https://www.facebook.com/kbcls/>

"Kensington-Bellwoods Community Legal Services plays an important role in our community. Not only do they provide essential and free legal services to low-income individuals and families in the areas of employment, housing, social assistance and immigration, they also offer educational workshops for the public and staff of community service organizations like University Settlement. KBCLS is a critical player in making our community stronger, safer, more accessible and more supportive of those most vulnerable. We very much value our partnership with KBCLS."

Patricia Jacobs, Executive Director, University Settlement



Kensington-Chinatown LIP Newcomer Welcome Fair 2018 (Maxwell)

Humanitarian and Compassionate Immigration Work

Lee Tenenhouse, Staff Lawyer

Our Immigration cases often involve people without status in Canada, usually with children, trying to regularize their status. These cases have generally resulted in permanent resident applications on humanitarian grounds. We have also assisted convention refugees and resettled refugees with family reunification issues, including one year window applications. One example of our immigration work is the case of a client we will call Marsha:

Marsha came to Canada more than 10 years ago, fleeing severe physical and emotional abuse from her ex-spouse. She began a new relationship in Canada and had 2 children, born in Toronto. Unfortunately, the father of her children in Canada was also abusive, to her and their young, Canadian-born child who has severe health problems. She was forced to flee to a shelter and then had to think about how she could continue to live in Canada without status while still caring for her children. She was terrified to return to her country of origin because there were no services there to address her child's health needs and because she still feared her abusive ex-spouse, who still lived there. KBCLS submitted a detailed Permanent Resident application on humanitarian and compassionate, and "best interest of the child" grounds, and it was successful.

"I am now a permanent resident of Canada and my young son gets the care he so desperately needs. I never would have been able to prepare the complicated and time-consuming immigration application on my own and I am very grateful for the help provided by Kensington-Bellwoods".

Assisting with Ontario Disability Support Plan

Due to various medical conditions, Maria was encouraged by her OW worker to apply for ODSP benefits. However her original ODSP application was denied. She came to Kensington-Bellwoods for assistance with her appeal. Upon reviewing her case, we noticed that her original application was incomplete. We assisted her in gathering additional information to complete the application. The Application was submitted for review and the benefits were granted.

"I am so pleased with all the help I got from my Community Legal Worker. I could not have got ODSP on my own as I did not understand the process. I now have more options for healthier foods and access to additional supports. Bless you!"

Financial Report

For the year ended March 31, 2019

Revenue	2019	2018
Legal Aid Ontario		
Direct Receipts	963,858	868,394
Indirect Receipts	34,940	26,714
City of Toronto	22,698	31,035
Other Income	3	84
	<u>1,021,499</u>	<u>926,227</u>
Expenses		
Salaries	638,792	655,527
Benefits	126,046	127,266
Professional Dues	6,821	6,183
Membership Fees	4,854	4,675
Travel	2,443	3,791
Communications	5,622	5,158
Accommodations	111,603	92,641
Equipment	7,078	5,886
Library	3,247	2,422
Supplies & Services	6,805	11,107
Indirect Payments	26,926	24,266
Professional Fees	13,014	6,834
Legal Disbursements	4,789	5,817
Project Expenses	46,218	0
Amortization	4,951	4,149
	<u>1,009,209</u>	<u>955,722</u>
Excess of Revenues over Expenses	12,290	-29,495
Funds balance (deficit), beginning of year	349	29,844
Funds balance, end of year	<u><u>12,639</u></u>	<u><u>349</u></u>

This is an unaudited Statement. Full Statements are available on request.

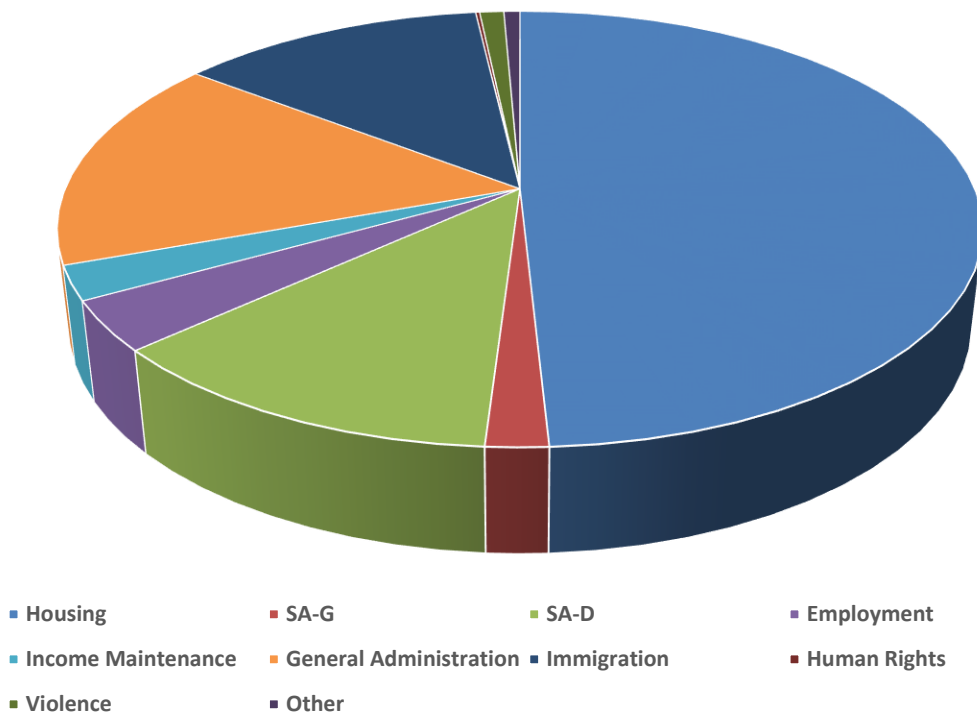
Message from the Chair *(continued from Page 3)*

The Annual Report contains but a small sample of the work that our staff at Kensington-Bellwoods have done this past year despite the cuts. As Nina Hall explains on page 4, housing law continues to be our busiest area of practice, with high volumes of summary advice and brief services being provided to our clients. Likewise, immigration law continues to be an important area of practice. On page 6, Lee Tenenhouse provides a poignant example of how Kensington-Bellwoods successfully assisted an individual with a permanent resident application. In addition to casework, community development and advocacy remains an important aspect of the services that Kensington-Bellwoods provides to our clients. On page 5, Tim Maxwell summarizes the public legal education sessions offered in our community and outlines Kensington-Bellwoods' involvement in a number of important advocacy campaigns.

Kensington-Bellwoods has provided legal services to low income persons in our community for decades. Our goal is to work towards the elimination of poverty, and to ensure equality before the law. The sacrifices made by the staff this summer in response to the funding cuts tell me that our clinic's commitment to this goal has not wavered. These sacrifices also tell me that Kensington-Bellwoods will be providing legal services to low income persons in our community for decades to come.

While it was an honour to be chosen to help steer this ship into calmer waters, I will not be continuing in my role as Chair of the board following our AGM. We may not have reached safe harbour just yet, and there could be clouds on the horizon, but the dedication and commitment of our staff leaves me confident that Kensington-Bellwoods is well-positioned to meet the challenges ahead.

2019 Legal Cases



Infographic by Rosa Tavares