

# ANNUAL REPORT 2019-2020



WEST TORONTO COMMUNITY  
LEGAL SERVICES



# A message from the Chair of the Board

Jacques Descoteaux



The 2019 / 2020 year was one of challenge for West Toronto Community Legal Services. It was also a year that saw us redouble our efforts to serve the low-income people of West Toronto.

As the community knows, the summer of 2019 was marked by dramatic cuts across social services in the province, including the loss of 10% of our Legal Aid Ontario funding. As a lean, efficient organization, it was not possible to absorb the cuts without the loss of valuable staff and an impact to our services. Going into the last months of 2019, it appeared that further cuts might be possible. After many years of building our capacity and growing our services, the cuts were disheartening.

WTCLS has weathered storms in the past however and we turned to face this one in a way that was strategic and determined. We were guided by our conviction that we exist to deliver on our mandate to provide the low-income communities of West Toronto with greater access to justice and housing.

The last quarter of the year brought us both good news and more change. We learned that further funding cuts to the Ontario clinic system would not be forthcoming. We looked forward to a new fiscal year in which we could plan our work with confidence.

In early 2020, however COVID-19 emerged to create an environment that was unprecedented for all of us. Suddenly, we needed to limit our contacts with clients and move our staff to working from home. This was challenging for a clinic that has always had an open and welcoming office and a strong team-oriented staff. We struggled with technology and new

modes of communication, but our staff was incredibly resourceful and resilient. We worked through barriers to service as they emerged and changed our protocols as necessary to ensure that we can continue to do our work in a way that is safe for all.

We are looking forward to the coming year. With new support from our funders and guidance from our Board and the commitment of our staff, we are confident that we will continue to do outstanding work in the year ahead.



# New legal aid legislation:

## Forging a new relationship between clinics and Legal Aid Ontario

Elisabeth Brückmann  
Executive Director



The 2019 / 2020 fiscal year brought change to the delivery of legal aid services in Ontario. Introduced by the government in late 2019, Bill 161, An Act to enact the Legal Aid Service Act 2019 passed third and final reading in the provincial parliament on June 24, 2020. The initial draft of the Bill contained some problematic language, but changes were made as a result of feedback from the clinic system, and the Bill that was passed was, in our view, notably improved from earlier versions.

The next step will be for us to turn our minds to “clinic modernization”. In May of 2019, after the province announced the cuts that were so challenging last year, the province also announced an ominous review of the community clinic model. Fortunately, due to the hard work of community clinics and partners, the province backed away from the review and any further budget cuts and instead directed that Legal Aid Ontario and the clinics should work together to “modernize” their relationship.

Among the provisions of the new LASA is that existing funding agreements between clinics and LAO will soon come to an end. It will now be for clinics and LAO to work together to develop new “foundational documents” that will guide the future of our work. We anticipate that with the representation of the Association of Community Legal Clinics of Ontario (ACLCO), the clinics will be able to ensure that new agreements protect the core elements of a healthy community clinic model:

- Local board governance to ensure that community needs are met

- The delivery of service by caseworkers expert in their legal fields and grounded in a network of local community services
- The delivery of a full range of poverty law services including case work and law reform initiatives
- Stable core funding to allow each clinic to focus its efforts on its core work

We will reach out to our membership and our partners if it appears support is needed to protect these defining elements of a healthy and sustainable clinic system.



# The year in legal casework

The demand for legal services in West Toronto continued to increase in 2019-2020. In the previous year, 2018-2019, we opened 1,162 cases (or received 1,937 demands for service). In 2019-2020, we opened 1,310 cases (or received 3,822 demands for service). This is a 51% increase in requests for service and 13% increase in cases opened.

We attributed the ongoing increase in demand in part to our move in 2018 to our current storefront location which made us more visible and accessible to the community. We also attribute the increase to the ongoing challenges faced by low income people trying to make ends meet in West Toronto.

The demand for legal advice and representation in housing law matters increased the most. Historically about one third of our work, housing law now consumes half of our staff resources. In our urban catchment area with soaring rental costs, many tenants face pressure from landlords who would like to see units vacated so that rent can go up. Landlords also increasingly devalue their long-term tenants and allow maintenance and other concerns to go unaddressed. As rents go up, tenants receiving social assistance or retirement benefits or relying on low-waged employment are also increasingly vulnerable and any threat to their stability can result in crisis.

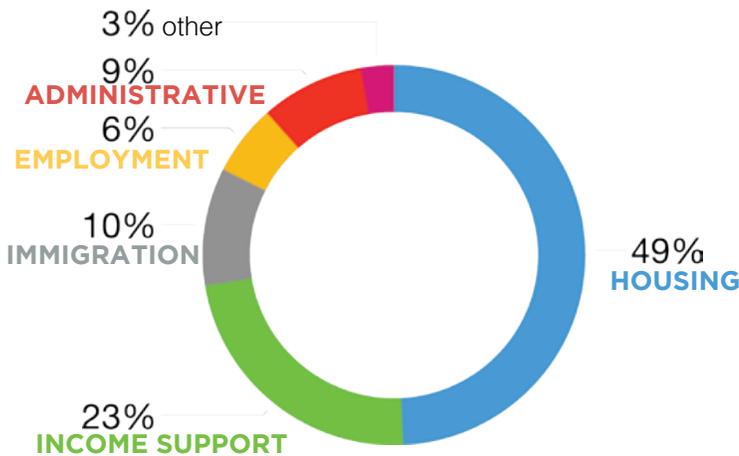
WTCLS then saw a dip in demand at the very end of 2019-2020 as the COVID 19 pandemic took hold. A number of factors appear to have been at play. Many

people with legal issues that were not immediately time sensitive held off on contacting us, waiting for the world to reopen. The closure of provincial tribunals reduced the demand for representation. The ban on evictions, which was in place for a number of months until mid-summer, also produced some short term security for tenants. Lastly, the CERB benefit, which was rolled out by the federal government to support people who suddenly lost work acted as an effective basic income, providing a new income security not previously seen in Ontario.

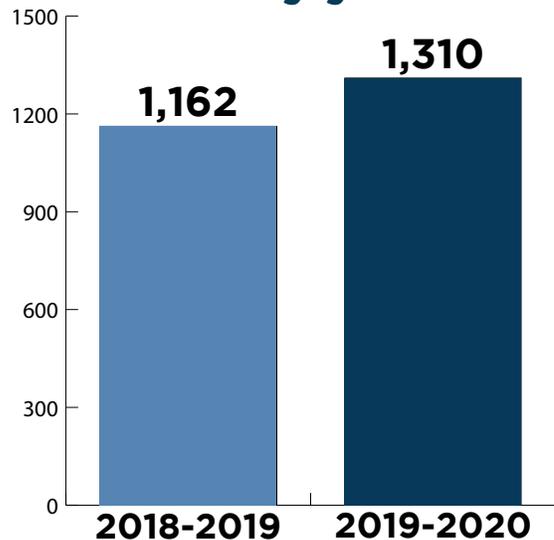
Of course, the short term lull in demand did not last and at the time of writing, we are now facing quite the opposite. Calls are increasing as the eviction ban has been lifted and tribunals have returned to operation via video and teleconference. Tenants are facing renewed pressure from landlords to move out. Social assistance recipients who received the CERB in error are calling to find out the implications for their ODSP and OW entitlements. Employees returning slowly to the workforce have questions about health and safety and those who have permanently lost their positions have questions about their rights on termination.

WTCLS continues to respond to the increasing demand. With \$26,000 in new COVID 19 related funding from the Canadian Government recently provided through the Canadian Red Cross, we have been able to increase our capacity for the short term. In the long term, we anticipate demand continuing to rise and the challenge of meeting demand with high quality services will continue.

## Types of cases



## New Cases by year





# The year in Housing Help Services

In the past year, our Housing Help service continued to provide support to people navigating Toronto's difficult housing market. Until March of 2020, our housing help workers met with clients at 10 different locations in the community. When COVID 19 shut down our in person meetings, our housing help staff pivoted to providing services online and over the phone. As our locations account for approximately one third of all of our new clients, the shuttering of our locations led to an abrupt change in how our clients reach us.

Despite the challenges of the COVID, we have met the challenge. As a part of the City of Toronto-funded web of Housing Help service providers, our Housing Help workers are always thinking of new ways to help low income people to navigate the challenging rental housing market in Toronto.

In addition to their regular work, WTCLS' Housing Help team joined the City of Toronto's COVID 19 Isolation/ Recovery Site pilot program. The program was developed by the City in response to the high number of COVID positive clients in the shelter system. Three isolation and recovery sites were established throughout the City to address the need to support these clients and assist them in locating housing post-recovery.



A WTCLS project funded by the City of Toronto, West Toronto Housing Help Services helps low-income people:

- Search for affordable housing
- Navigate the rental process
- Apply for subsidized or supportive housing
- Resolve problems with landlords

We also provide intensive one-on-one supports to people with complex needs.

Call 416-531-0841 to reach a member of our team.



## New staff member: **DANIKA SO**

We were delighted that Danika So joined WTCLS as a staff lawyer in the Summer of 2020. Danika attended Osgoode Hall Law School, graduating in 2019. During her time at Osgoode, Danika completed an 8-month placement at Parkdale Community Legal Services in their Social Assistance, Violence, and Health Division. She was exposed to the breadth of social assistance law including representing clients at the Social Benefits Tribunal. Danika then articulated at Dewart Gleason, a union-side labour firm in Toronto. A local resident, avid photographer, runner, and regular at the boxing gym across the street, Danika brings new energy to WTCLS where she is practicing in the areas of social assistance, housing, and employment law.



# Changes to the Residential Tenancies Act

Bill 184, passed in the summer of 2020, brings in a number of notable changes to the Residential Tenancies Act which affect tenants' rights.

## 1. Illegal rent increases become legal after 12 months

It used to be that an illegal rent increase was just that: illegal. If a tenant unwittingly paid the increase and only became aware of the illegality later (sometimes when they got advice from a legal clinic), they could dispute the increase. Bill 184 changed that. Now an illegal rent increase is deemed legal if the tenant does not challenge it within 12 months.

## 2. Tenants must provide notice to landlords if they want to raise issues about their unit at a hearing about rent arrears.

In the past, a tenant who was facing an eviction for rent arrears could ask the Landlord and Tenant Board (LTB) to take into consideration problems in their unit, such as maintenance concerns. These could warrant a rent abatement and reduce the amount of rent owing. It could make the difference for a tenant trying to find enough money to pay arrears and stay in their unit. Bill 184 changed this. Now a tenant must provide the landlord with advance notice of any such issues. If the tenant does not provide notice, they may not be allowed to raise the issues at their arrears hearing.

## 3. Repayment plans can lead to an eviction order without notice to the tenant

It has always been open to landlords and tenants to come up with payment plans when a tenant falls behind in their rent. If the tenant wasn't able to meet the terms of the plan, the landlord could ask for an order terminating the tenancy. The safest way for a tenant to negotiate a binding agreement with the landlord was to attend their arrears hearing at the LTB.

Once at the LTB, there were a number of mechanisms in place to support the maintenance of the tenancy.

Tenant Duty Counsel are available at the Board to advise tenants on their rights and direct them to resources that might assist with the repayment of their rent. Mediators are available to talk to both landlords and tenants about ways to resolve their dispute without the loss of the tenancy. Adjudicators have the power to order a payment plan to keep a vulnerable tenant in their housing after considering all of the tenant's circumstances.

Bill 184 brought in a change encouraging landlords to approach tenants to sign a repayment agreement without filing an application at the LTB and without giving tenants the opportunity to respond to the application at a hearing. If the tenant makes such an agreement and then misses a payment, Bill 184 allows the landlord to file for an eviction order without notice to the tenant and without holding a hearing. The tenant then has 10 days to file a motion to ask the Board for a hearing. This means that the tenant has the opportunity to dispute the landlord's case or discuss their circumstances only after an eviction order has been issued rather than before.

### *What should tenants do about these changes?*

Always double check to be sure that rent increases are within the applicable guidelines.

If you are in arrears, don't sign a repayment plan you don't understand or that you can't afford. If you are a day late or a dollar short, the landlord can file for eviction without notice to you.

Contact your local legal clinic or tenant duty counsel if you find yourself in arrears and need advice on a repayment plan.

**Contact your local legal clinic if you receive an Order from the LTB.**

**Visit the Steps to Justice website ([www.stepsjustice.ca](http://www.stepsjustice.ca)) if you need more information.**



# Thank you to our Board and staff!

## Board

Sharon Anderson  
Mark Anthony  
Elka Aranzales Reales  
Alison Bellaire  
Michelle Coombs  
Jacques Descoteaux  
Tyler Hargreaves  
Kam Mangat  
Caroline Shultz  
Sarah Skinner

## Clinic Director

Elisabeth Brückmann

## Director of Administration

Rob Routh

## Legal Team

Francesca Allodi-Ross  
Moiria Daly  
Helle Hulgaard  
Kathryn Lynch  
Victoria Peter  
Danika So

## Housing Help Team

Morena Carranza  
Zara Magalhaes  
Justin Pomeroy  
Cassine Smith  
Ariel Weber  
Yodit Wendim

## Support Team

Maggie Szlimak  
Elisabeth Valenti-Sorbara

## Student Caseworkers

Lindsay Correia  
Shanika Gordon  
Thien Hoang

## Past Staff

Andrea Ajurias  
Jacky Chiu  
Julia Kennedy  
Epiphany Leibovitch-Opar  
Nandhini Padmanathan  
Jhoanna Syllo  
Kat Snukal  
Kent Wakely  
Nick White  
Arthur Willwerth

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# Thank you to our funders!

WTCLS delivers its legal services thanks to core funding from Legal Aid Ontario. This funding allows us to deliver a full range of poverty law services including expert legal advice and representation, public legal education, and organizational support for law reform initiatives. Our legal service delivery is guided by a community-based Board of Directors and grounded in a provincial network of community legal clinics.

We deliver our Housing Help services thanks to funding from the City of Toronto. This funding allow us to deliver support services to those navigating a search for market rent housing and/or the process of applying for subsidized and specialized housing. Our Housing Help service delivery is guided by our Board and grounded in a City-wide network of Housing Help service providers.

We thank LAO and the City of Toronto for their ongoing support. We also extend our thanks to the Government of Canada which has provided us with short term funding to help us respond to COVID 19 related increases in demand for service. This funding, provided through the Canadian Red Cross, has allowed us to increase our capacity to address this unprecedented community need.



# Treasurer's Report

**Kam Mangat**



This is my first year as Treasurer of the Board of West Toronto Community Legal Services. A bit about myself: I am a relationship manager at a pension consulting firm in Toronto. I have a Bachelor of Commerce from the University of Toronto and an MBA from the University of Western Ontario. I am also a Chartered Financial Analyst.

The purpose of our annual external audit is for the auditor to express an opinion on the truth and fairness of an organization's financial statements. An external audit provides an independent third party assessment of the financial statement, and ensures accountability of management performance, as well as a reasonable basis

for our members and the public to rely on the financial statements.

The audit of the finances of WTCLS for 2019-2020 was performed by the accounting firm Chaplin & Co. The auditor verifies that the accounting records and policies are in order to ensure the financial statements are accurate, complete, and in adherence with generally accepted accounting principles.

The two primary funders of our work are Legal Aid Ontario and the City of Toronto. I would like to acknowledge and thank our funders for their continued support.

I would also like to thank the auditors, Chaplin & Co. for their services this year.

## Audited financial statements

**Chaplin & Co.**

To the Board of Directors of West Toronto Community Legal Services Inc.

### Opinion

The accompanying summarized financial statements, which comprise the summarized statement of financial position as at March 31, 2020, the summarized statement of operations and changes in fund balances and summarized statement of cash flows for the year then ended, and related notes are derived from the audited financial statements of West Toronto Community Legal Services Inc. for the year ended March 31, 2020.

In our opinion, the summarized financial statements are a fair summary of the audited financial statements on the basis described in Note 1.

### Summary Financial Statements

The summarized financial statements do not contain all the disclosures required by Canadian accounting standards for not-for-profit organizations. Reading these summarized financial statements, therefore, is not a substitute for reading the audited financial statements and the auditor's report thereon.

### The Audited Financial Statements and our Report thereon

We expressed an unmodified audit opinion on the audited financial statements in our report dated August 6, 2020.

### Management's Responsibility for the Summarized Financial Statements

Management is responsible for the preparation of the summary financial statements on the basis described in Note 1.

### Auditor's Responsibility

Our responsibility is to express an opinion on whether the summarized financial statements are a fair summary of the audited financial statements based on our procedures, which were conducted in accordance with Canadian Auditing Standards (CAS) 810,

Engagements to Report on Summary Financial Statements.

Chaplin & Co., Chartered Accountants  
Licensed Public Accountants  
Toronto, Canada  
August 6, 2020

**Note 1:**

The information selected by management for presentation in the Summarized Annual Financial Statements has been identified as being the most pertinent and useful financial data for inclusion in the West Toronto Community Legal Services Inc. annual report.

The full Audited Financial Statements for 2019-2020 are available upon request by email [info@wtcls.org](mailto:info@wtcls.org) or on our website at [www.wtcls.org](http://www.wtcls.org)

## Summarized Statement of Financial Position

<b>ASSETS</b>	<b>2020</b>	<b>2019</b>
Current assets	77,533	122,005
Capital assets	168,681	218,373
	<b>\$246,214</b>	<b>\$340,378</b>
<b>LIABILITIES</b>		
Current liabilities	201,346	265,379
Fund balances	44,868	74,999
	<b>\$246,214</b>	<b>\$340,378</b>

## Summarized Statement of Operations and Fund Balances

<b>REVENUES</b>	<b>2020</b>	<b>2019</b>
Legal Aid Ontario (direct receipts)	784,718	869,304
Legal Aid Ontario (indirect receipts)	17,688	26,624
City of Toronto	334,470	334,470
Other funding	10,366	3,700
<b>TOTAL REVENUES</b>	<b>\$1,147,242</b>	<b>1,234,098</b>
<b>TOTAL EXPENDITURES</b>	<b>\$1,177,343</b>	<b>\$1,167,392</b>
Excess of revenues over expenditures	(30,131)	40,646
<b>FUND BALANCES, BEGINNING OF YEAR</b>	<b>74,999</b>	<b>34,391</b>
Repayment of surplus	-	(38)
<b>FUND BALANCES, END OF YEAR</b>	<b>\$44,868</b>	<b>\$74,999</b>

## Summarized Statement of Cash Flows

<b>Cash flows provided by (used for)</b>	<b>2020</b>	<b>2019</b>
Operating activities	(20,616)	217,186
Investment activities	-	(232,527)
<b>Decrease in cash</b>	<b>(20,616)</b>	<b>(15,341)</b>
<b>CASH, BEGINNING OF YEAR</b>	<b>70,553</b>	<b>85,894</b>
<b>CASH, END OF YEAR</b>	<b>\$49,937</b>	<b>\$70,553</b>



**WTCLS provides free legal services to low-income people in the following areas:**

- Landlord and Tenant
- Social Assistance, including ODSP, OW, CPP, OAS, and EI
- Immigration Law
- Workers' Rights
- Affidavits, Commissioning and Notarizing documents

**Call (416) 531-7376 or email [wtcls@lao.on.ca](mailto:wtcls@lao.on.ca) to register for legal help.**

**West Toronto Housing Help Services (WTHHS) helps low income people:**

- Search for affordable housing
- Navigate the rental process
- Apply for subsidized or supportive housing
- Resolve problems with landlords

We also provide intensive one-on-one supports to people with complex needs.

**Call (416) 531-0841 to reach a member of our team.**



**WEST TORONTO COMMUNITY  
LEGAL SERVICES**

1032 Bloor Street West  
Toronto, ON M6H 1M2  
416-531-7376  
[info@wtcls.org](mailto:info@wtcls.org)  
[wtcls.org](http://wtcls.org)



**Canada**

West Toronto Community Legal Services is funded by Legal Aid Ontario.  
West Toronto Housing Help Services is funded by the City of Toronto.  
Additional COVID-19 support provided by  
the Government of Canada through the Canadian Red Cross.