

HUMAN RIGHTS TRIBUNAL OF ONTARIO

BETWEEN

LEAH DYCK

Applicant

and

BARRIE MUNICIPAL NON-PROFIT HOUSING CORPORATION

Respondent

and

SIMCOE COUNTY HOUSING CORPORATION

Respondent

and

THE CITY OF BARRIE

Respondent

and

THE COUNTY OF SIMCOE

Respondent

SUPPLEMENTARY MATERIAL

Identities of Certain “Recipient Testimonies”

1. On October 5th and October 17th, 2022, Barrie Housing first threatened to sue the Applicant for defamation regarding her 12 Facebook posts about her charity’s program recipients. Barrie Housing claimed that all 12 posts were false and deeply offensive to them.

2. The Applicant kept the personal details of the people written about within these posts private, including their names and addresses, which meant that Barrie Housing didn't know the identities of the recipients featured in these 12 Facebook posts—which Barrie Housing even admits, yet still claims are false and defamatory.
3. Of these 12 posts, it turns out, only four are about Barrie Housing tenants. Of these four posts, only three even mentioned Barrie Housing. For the record, only post #3, #5, #8, and #12 are about Barrie Housing tenants.
4. Now, two years later, in paragraph 11 of Barrie Housing's "Factum of the Plaintiff", dated October 4, 2024, it states:

"...the defendant is disseminating "testimonies" of unnamed individuals purportedly supporting her (without any specifics as to the legitimacy of these "testimonies") or otherwise proffering as "evidence" in support of her allegations, testimonies which are fabricated, false, or otherwise untrue."

5. Firstly, there are a total of 12 "recipient testimonies" posted, and the Applicant personally interviewed each person featured in these posts. The Applicant unequivocally states that all 12 posts are true.
6. Secondly, only testimony #3, #5, #8, and #12 are about tenants of Barrie Housing. Additionally, only testimony's #3, #5, and #12 even mention Barrie Housing. Despite this fact, Barrie Housing demanded that the Applicant remove all 12 testimonies because every single one was defamatory.
7. Thirdly, on August 30, 2024, at 4:40 PM, the Applicant submitted a document titled, 'Form 11 Attachment.pdf' to the Human Rights Tribunal of Ontario ("HRTO") and to all of the respondents. In this attachment, the Applicant revealed the identity of the person featured in testimony #3 with supporting evidence, whom is [REDACTED], and whom lives [REDACTED] [REDACTED], in Barrie, Ontario.

8. Yet in Barrie Housing's Factum filed with the Ontario Superior Court of Justice, dated October 4, 2024, it continues to allege that all 12 posts are defamatory.
9. "Recipient Testimony" #8 is about [REDACTED], who lives at [REDACTED], Barrie, Ontario. This is one of the "recipient testimonies" about a Barrie Housing tenant that doesn't mention Barrie Housing's name. [REDACTED] specifically asked that Barrie Housing's name not be mentioned because [REDACTED] was afraid that readers may discover [REDACTED] identity with the association.
10. "Recipient Testimony #5 and #12 are about [REDACTED] who's no longer living in public housing, but did reside [REDACTED] in Barrie, Ontario. She recently told the Applicant that her boyfriend "saved her" from Barrie Housing.
11. The Applicant is aware that [REDACTED] housing project was under the management of Barrie Housing at the time "recipient testimony #5" was published. The Applicant is no longer aware of which housing services provider manages [REDACTED] housing project.
12. After the Applicant reviewed her emails regarding "Recipient Testimony" #11, and verified that person's address, it turns out she's actually not a Barrie Housing Tenant. She lives on [REDACTED] here in Barrie, Ontario.
13. The Applicant never mentioned Barrie Housing's name in "Recipient Testimony #11", because Barrie Housing had nothing to do with the person featured in this testimony.
14. The Applicant believes that Barrie Housing's threats to sue the Applicant in October 2022, were also made on behalf of the County of Simcoe's Social Services department because it would explain why Barrie Housing alleges that all 12 Facebook posts are offensive.
15. In reality, these 12 Facebook posts expose the living conditions and circumstances of low-income and vulnerable residents in the County of Simcoe.

16. Furthermore, if you read "Recipient Testimony's" #5 and #12, which are [REDACTED], you'll see there's a lot of specific details, such as:
- She's been rescued from sex-trafficking;
 - She's testified against her trafficker and put him in jail;
 - She gave Barrie Housing a letter written by a police detective requesting a transfer to another housing project because one of her past rapists frequently sells drugs to someone in her building and every time she sees him, she has a panic attack and is scared for her life;
 - She has a dog; and
 - Barrie Housing's been trying to evict her due to her dog barking;
17. The Applicant doesn't believe that Mary-Anne Denny-Lusk didn't know exactly who this "Recipient Testimony" was about. How many other rescued victims of sex-trafficking are asking to be transferred to a different building, with a letter of support from a detective, saying she needs to be transferred for safety reasons, and whom Barrie Housing is trying to evict for having a barking dog?
18. The Applicant told Riley Brooks in her October 17, 2022 response, that she personally saw the emails of [REDACTED] request to be transferred.
19. The Applicant even met this detective who wrote the request for transfer. The Applicant went to the Barrie courthouse with [REDACTED] and sat-in on a three-hour pre-trial hearing meeting, [REDACTED], her crown attorney, and two detectives on her case, one of which was the author of the letter of request seeking a transfer to another project.
20. The Applicant came to this pre-trial meeting because [REDACTED] wanted emotional support, as [REDACTED]. The Applicant is also aware that Barrie Housing is familiar with [REDACTED] has communicated directly with Barrie Housing regarding issues with [REDACTED]

21. [REDACTED] and the Applicant also brought her dog, [REDACTED] to this pre-trial meeting because her dog is [REDACTED] doesn't feel safe going anywhere without her dog.
22. Admittedly, [REDACTED], which is probably the reason why someone in her building was trying to get rid of her [REDACTED]. But her dog is the kindest, friendliest dog the Applicant has ever met.
23. [REDACTED]
[REDACTED] dog also would "pull" [REDACTED] a lot, when she'd take him for walks. The Applicant assumed this "perceived lack of control" may add to [REDACTED] dog.
24. On February 27, 2023, the Applicant booked a consultation with Toto's K9 Care and Training Services, with Order Confirmation No. C-0FBA90540096. After the Applicant explained to the owner, Heriberto Rincon, [REDACTED] situation, and asked Heriberto to donate dog training classes for [REDACTED] Heriberto agreed.
25. The Applicant was hoping that if [REDACTED] had her dog professionally trained, it would deter other tenants from [REDACTED] and deter them from trying to get [REDACTED] evicted.
26. Unfortunately, [REDACTED] said Heriberto's accent reminded her of her trafficker too much, and after a couple months, [REDACTED] opted-out of the dog training program because it was just "too triggering" for her.
27. Anyways, on April 21st, 2023, the Applicant went out for lunch at Donaleigh's with Rob Cikoja, the CEO of Habitat for Humanity Huronia. Rob was also a member of the Applicant's charity's advisory committee. During this meeting, Rob told the Applicant that the reason the County of Simcoe will never financially support Fresh Food Weekly is because of "those posts" the Applicant published in 2022.

28. Barrie Housing alleges that the Applicant claimed that Barrie Housing is preventing her from receiving donations in general. There's no logic to that, which is probably why it was said: to make it appear that there's no logic in the Applicant's claims.
29. However, the Applicant has always claimed that Barrie Housing has prevented her from receiving grant funds administered through the County of Simcoe, both directly and indirectly, because Barrie Housing doesn't think someone like the Applicant; a poor, single mother living in public housing in receipt of social assistance, deserves to run a charity.
30. In the eyes of Barrie Housing, the City of Barrie, and the County of Simcoe, the Applicant doesn't have the same value as a human being, nor do they think she's worthy of being in charge of a business.

Dated: January 6, 2025

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Applicant

Respondents

HRTO File No. 2024-57438

HUMAN RIGHTS TRIBUNAL OF
ONTARIO

PROCEEDING COMMENCED AT
TORONTO

Supplementary Materials

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January 6, 2025

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