

CHEYENNE APARTMENTS

Owner relinquishes control of controversial buildings

Elijah Elieff's company missed Friday's deadline on \$400,000 in outstanding mortgage payments.

By Charlie Gillis
The London Free Press

When the clock struck 12:01 a.m. Friday, Elijah Elieff officially relinquished control of the Cheyenne apartments, leaving tenants in the dark as to who will look after them.

The National Bank now has legal control of the infamous 95 and 105 Cheyenne Ave. properties. It will sell them "as soon as possible" and withhold the mortgage amount, the bank's lawyer Tom Robson said.

OUTSTANDING DEBT: Elieff Investments Ltd. owed \$400,000 in mortgage payments to the National Bank, which took a power of sale action against the former owner almost two months ago.

The action gave Elieff until Friday to pay the outstanding mortgage, but Robson still had no word late Friday morning.

The deadline's passage marks the end of a four-year battle in which tenants tried repeatedly to get the broken-down apartments fixed up while Elieff staunchly refused to bankroll repairs.

Who takes responsibility for the property is unclear.

The power of sale action does not make the National Bank the landlord. Some tenants are concerned about safety and health hazards such as smashed windows and broken door latches.

The bank has no plans to force the buildings' 60 tenants out, and it doesn't want to shoulder maintenance and safety costs either, Robson said.

A Cheyenne tenants' board hopes to settle safety matters Monday at a meeting with officials from the bank, city hall, the Middlesex-London health unit, the fire department and police.

"We'll be asking very basic questions," said Susan Eagle, a



Ed Heal/The London Free Press

Two brothers hold bricks they found thrown through ground-floor apartment windows at 105 Cheyenne Ave. in London. At left is Sivy Nov, eight, and brother Syvan Nov, nine, who live in the 95 and 105 Cheyenne Ave. apartment complex. There is extensive damage to almost every main floor apartment.

community outreach worker assisting the tenants. "Questions like who will be responsible for plumbing repairs? Or who will turn off the fire alarm if it gets pulled?"

Earlier, the Middlesex-London health unit ordered Elieff to make repairs after residents found sewage on the ground floor and laundry room at 105 Cheyenne.

Wednesday, environmental health director, Robert Carson, said the National Bank may still

be responsible for health and safety concerns.

"It's up to the person who has control of the property, to the best of my knowledge."

Elieff failed to appear in small claims court Friday to answer a \$2,400 overcharging claim the rent review board ordered him to pay a former tenant, one of two with liens against the buildings.

More than \$8,600 in gas bills is owed to Union Gas and the Middlesex-London health unit. Under a new city bylaw, tenants have

CHEYENNE SAGA

► **October, 1989:** The Middlesex-London health unit orders Elijah Elieff, owner of Elieff Investments Ltd., to have 95 and 105 Cheyenne Ave. sprayed for cockroach infestation.

► **January, 1990:** A tenant files an Ontario Human Rights Commission complaint against Elieff for calling his tenants — many of whom are Asian immigrants — "little pigs" who think they are in "a jungle." A decision is expected next fall.

► **May, 1992:** Tenants propose to buy the buildings and set up co-op housing on the property. The ministry of housing turns down the proposal, saying the tenants require an agreement-in-principle from the owner.

► **November, 1992:** Sewage backs up and floods the laundry room at 105 Cheyenne. The health unit orders Elieff to have the blockage cleared and the mess cleaned up. He complies.

► **March, 1993:** A provincial court judge allows the tenants to direct their rent into a trust account rather than to Elieff. Tenants pay \$10,000 of Elieff's \$18,600 hydro bill out of the account.

► **June:** City hall passes a bylaw, based on provincial legislation, allowing tenants to pay rent directly toward unpaid utility bills.

► **July 16:** Elieff Investments fails to pay \$400,000 in outstanding mortgage costs and relinquishes control of the apartments.

been assigning rents to unpaid bills to keep the utilities from cutting off services.

Elieff could not be reached for comment Friday.

The tenants' board, which tried to buy the buildings and turn them into co-op housing last year, has offered the National Bank appraised value for them. Eagle said the bid exceeded the \$400,000 Elieff owes.

Robson said the bank plans to have the property reappraised before it considers the offer.