

## CHEYENNE APARTMENTS

# Eagle, Free Press accused of conspiracy against Elieff

His counsel says anti-racism training would be 'judicial cleansing.'

By Eric Bender  
The London Free Press

Proposed penalties for discrimination in landlord Elijah Elieff's human rights case are self-serving, Elieff's counsel said Wednesday at the conclusion of a 13-day hearing that began last November.

"They have little to do with Elijah Elieff but a lot to do with Susan Eagle," Robert Metz, leader of the Freedom Party of Ontario, told the board of inquiry.

Eagle, a minister, is a church-based community worker who has been involved for years with the tenants at Elieff's two apartment buildings at 95 and 105 Cheyenne Ave.

Metz claimed there was a "calculated, fully orchestrated lobby effort" by Eagle and backed by The London Free Press to smear Elieff and devalue his property so it could be taken over by Eagle as co-operative housing. He said the proposals "border on cruel and unusual punishment."

Noting that Ontario's human rights legislation gives a board of inquiry the right to impose "anything" to remedy human rights abuses or prevent it from happening in the future, Metz called the board "an unjustifiable board."

"Unlimited power leads to unlimited abuse of that power," Metz told board adjudicator Ajit John. Metz charged that the board was being used as "an instrument of reprisal against a landlord."

Metz described a proposal that Elieff put \$409,900 into a tenants' trust fund for capital repairs at the Cheyenne buildings as serving Eagle's aim to



Community worker Susan Eagle was accused of smearing landlord Elijah Elieff for her own personal gain.

gain control of the buildings.

He said an order to have Elieff pay for a \$6,000 full-page advertisement by his Asian tenants in The Free Press amounted to an "award" to newspaper for its support in the campaign against Elieff.

Metz said forcing Elieff to undertake anti-racism training would amount to "judicial cleansing."

"Damages being asked have very little to do with the complainant (tenant Chippeng Hom). It has everything to do with the collective. If you want to do something for the complainant, ask Elieff to buy her a house and a vacation. It would be cheaper," Metz said.

**DISMISSAL:** Metz asked for an "absolute dismissal" of the case against Elieff and that he be awarded costs.

He said Elieff had lost control of his apartments, had lost his downtown sandwich shop and was reduced to "driving a school bus for sick kids twice a day" for a living since "the campaign" against him began.

Elieff is the victim in this case, Metz said. He told the board there was a human rights infringement, but it was

on the part of The Free Press in misinterpreting Elieff and continually publishing his alleged remarks.

He said The Free Press was the only source of information about the Cheyenne situation and charged its slanted, biased reports shaped the public view of Elieff and poisoned the environment of the Asian tenants in his buildings.

Metz said Elieff can only claim costs from the board, not damages. Any claim for damages would have to arise through a separate civil suit, Metz said outside the hearing.

Metz contended Elieff's remark to a Free Press reporter that his Asian tenants were "like little pigs living in the jungle" was not racist, but meant to refer to any "messy" tenants who act like pigs.

**VANDALS:** They were also vandalizing his property — the real reason for his apartment problems, Metz said. Elieff's lack of fluency in English also prevented him from expressing himself properly, Metz contended.

Commission counsel Geraldine Sanson replied that Elieff was repeatedly give an opportunity to clarify his remark but he simply repeated it.

Metz spent most of the day citing Free Press reports that made Elieff look bad and noted "alarming" inaccuracies in them. He said The Free Press constantly labelled the Cheyenne situation a housing issue when it was really a landlord-tenant issue.

Sanson told the board housing is a human rights issue and reminded the board the first priority of the community effort involving Eagle was to get repairs done at the apartment buildings. Purchase of the property was a last resort, she said.

A decision in the case was reserved. John said he would attempt to issue a written judgment within 30 days.