

Rights code violation hard to prove



Morris Lamont/The London Free Press

Bunly Sor complains about conditions in his building during a meeting of residents of the Cheyenne Apartments and a lawyer. Sitting in front is Pov Mao.

A lawyer tells tenants he is 'offended' by their London landlord's remarks but the comments may not go far enough to violate the human rights code.

By Brent Jang
The London Free Press

A landlord who called Cambodian immigrants "pigs" from a "jungle" has probably not gone far enough to violate Ontario's human rights code, a London lawyer said Sunday.

Michael Loebach told 45 people, mostly tenants of apartments on Cheyenne Avenue, that London landlord Elijah Elieff's comments were not "ongoing and continuous. They might not be enough to be a violation of the code."

The tenants say they've been harassed and discriminated against but Loebach warned the charges would be difficult to prove to the human rights commission.

OFFENDED: Loebach said he's personally "terribly offended" by the landlord's comments, reported in a Free Press story last month.

"I'm very embarrassed for Canadians. I think such prejudice should be silenced. In my mind, cases of prejudice are caused by ignorance and fear. The best way to combat it is through education."

Londoners need to pay heed to the Elieff case because the city has been changed from a "white Anglo-Saxon community in 1970... to a time when we should be fostering different cultures," said Loebach.

Rev. Susan Eagle, a United Church minister who has been advising Cambodian tenants, said she's aware of the difficulty of proving a violation of the human rights code.

Elieff "has always treated tenants badly, no matter what their nationality," said

Eagle. "I guess it's a sad comment on our human rights legislation because there certainly were blatantly racist comments made. Racism is racism."

A woman who answered the phone at Elieff's home said he was not available for comment.

OPTIONS: Lam Vong, a Cambodian representative at the Cross Cultural Learner Centre, said the tenants still have many options, including seeking court-

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ordered rent reductions and perhaps creating a non-profit housing co-operative.

Bunly Sor of 95 Cheyenne Ave., who attended the meeting, held in a northeast London church, said he finds Elieff to be rather elusive but the landlord showed up for rent cheques on the weekend.

Sor said he asked Elieff to fix a hallway light but the request was ignored.

Chham Sar, a tenant at Elieff's other building at 105 Cheyenne Ave., is worried his rent will be raised. He said he made out his December rent cheque of \$409.74 on the weekend but was told it would be going up to \$440 a month.

Loebach advised Sar that unless renovations are done, such an increase would be above the provincial ceiling of five per cent. Elieff must also provide three months' written notice of an increase.