

**RENT REVIEW****Cheyenne tenants win rebates**

The province has ordered 22 renters be repaid \$31,800. Many more could still apply.

By Alison Uncles  
The London Free Press

The more than \$31,000 awarded to tenants in two Cheyenne Avenue buildings Wednesday because they have been paying illegal rents will likely mushroom as more tenants apply for the rebates, says activist Susan Eagle.

The decision by the Ontario housing ministry was based on applications from tenants at 95 and 105 Cheyenne Ave., London, who the ministry ruled have paid about \$31,800 in excessive rents in the last several years.

But Eagle, who has been working with the tenants for eight years, said the first batch of applications is only the start.

"Well over 100 (tenants) would be eligible to apply (for rebates), and I think that's a conservative estimate," Eagle said. "Even today, we had another six people who came forward . . . through word of mouth and the publicity we've had, tenants are coming forward to say: 'Gee, will I get rent back, too?'"

Tenants at the two buildings have been fighting for years to improve living conditions that include cockroaches and drafty windows. The buildings in the city's northeast have been a centre of controversy since 1989 because of repeated efforts by the city to enforce required repairs.

But the long struggle paid off in a big way for Vuth Nov on Wednesday, and he couldn't pull his eyes away from his new rent.

"Twenty-five dollars for five months!" he said, peeking again at the impossibly low numbers scribbled on a piece of paper. He looked up, beaming, and looked down again.

From October until February, Nov will pay only about \$25 rent a month for his two-bedroom apartment — down from \$490 in September. After February, his rent will be adjusted to \$465 a month, the legal amount the ministry has ruled he can be charged.

The five bonus months are payment for the five years of what the ministry says were illegally high rents charged by landlord Elijah Elieff, who owns 95 and 105 Cheyenne Ave.

That means Nov's hard-earned cash will go "in the bank, for my kids," instead of into a rent cheque, he said.

Sdoeung Heng, a single mother with two children, will pay about \$20-40 in rent each month for the next four months. In February, her rent will settle at \$378 a month, down from the \$420 she was paying.

**VICTORY:** "It's a victory," she said through a Cambodian interpreter. But for her, the victory was dulled by the uncertainty of whether the deductions on her family benefits cheque, which will result from lower rent payments, will leave her any net savings. Eagle said it's a dilemma she'll try to solve.

The incredulity was palpable in a northeast London church Wednesday when tenants at the two apartment buildings were told the good news by ministry officials.

"Up to now, they haven't seen that the system has been working in their favor. There's a little bit of fear that maybe they heard wrong because they've had so many setbacks in their attempts to get some justice through the housing system," Eagle said.

"I would expect that Mr. Elieff will settle by the dates that are expressed in the orders," said Harold Fischer, area manager for rent control programs at the ministry of housing. Elieff could not be reached for comment.



Susan Bradnam/The London Free Press

Sdoeung Heng waits for word on whether she would receive a rent rebate with her son Leneen, 2, and daughter Sorphia, 4, at her side. Heng, a single mother, soon found out she is among tenants from two London apartment buildings who have won rebates. It means her rent will be only \$20-\$40 monthly for the next four months.

**REBATE PROCEDURE**

- Who:** A total of 22 tenants and former tenants at 95 and 105 Cheyenne Ave., London, won rent rebates through the provincial housing ministry's rent review services. Others may be eligible.
- Amount:** The ministry ruled about \$31,800 had been over-paid, much of it as a result of rents raised more than once in a 12-month period, said a ministry spokesperson. That may increase as other tenants come forward.
- Rebates:** Tenants who still live in the apartments will recoup the money through lower rents. Those who have moved away should be sent refunds by the landlord by a ministry deadline of Oct. 29. The rebate for one applicant who is owed more than \$3,000 will have to be pursued through the courts because under the Residential Rent Regulation Act, the housing ministry cannot order the repayment of such a large amount.
- Appeal:** The landlord, Elijah Elieff of London, can appeal the rebate order. But he must refund the money in the meantime. If an appeal were successful, however, those who had received rebates would have to repay them.