

Ms. Mary Lee,
Vice-Chair,
Social Benefits Tribunal,
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Toronto, ON M5S 2B1

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Mr. Robert T. Chisholm,
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June 8th, 2009

Dear Ms. Lee

File number 0605-04207R – re. Social Benefits ‘Overpayment’.

I am writing with reference to your letter of November 10th, 2008

Briefly, to re-cap from the beginning: -

1. In 1995 I was refused federal U.I. (now federal E.I. – Employment Insurance) benefits, based on “lack of insurable weeks” of employment, by a federal Board of Referees presided over by Roger R. Presseault, who has since left the said Board of Referees and is now a Member of your Tribunal. This happened even though I was forced in December 1994 to leave an employer who was going bankrupt and was not paying me.
2. At the time, along with my wife, I owned a small rental property in Montreal, which was actually losing money even though your rules for computing income and expenses pretended otherwise. Sale of the property, for all practical purposes, was also impossible for us at the time.
3. I was forced to apply for Social Assistance in 1995 in order not to be made homeless because of the situation described in paras. 1 and 2 above.
4. Further, your “case” against me is partly based on false statements to the effect that if we had been able to sell the property, then we would have realized about \$150,000 free cash to defray social assistance expenses in respect of myself - when, in fact, that “free cash” would have all disappeared in order to pay off the mortgage. As things turned out, in 2000 we were forced to give the property in payment to our lending institution (the Royal Bank) because we could not keep it going, and the property actually realized only \$135,000 when it was sold by the bank, which was actually insufficient to cover the balance of the mortgage principal. In addition to this we still had to pay about \$5,000 to the City of Montreal in order to pay off property tax arrears that we had incurred. Your “case” against me also makes the additional false assumption that the property could have been sold as soon as my **“ineligibility”** for Unemployment Insurance benefits was **“established”** in February 1995 by your Roger R. Presseault in his then-capacity as President of the federal Board of Referees for Ottawa.

The above and other relevant information has all been documented previously, both before my hearing on January 17th 2007 and since then.

Notwithstanding this, you persist in pursuing me on account of this so-called ‘overpayment’

Further, your suggestion in your letter of November 10, 2008 that I should file a fresh appeal with the Tribunal because – quote - “this file, however, will remain closed” – is just a trick that you are attempting to play in order to generate more work for your own taxpayer-funded, corrupt, arrogant and incompetent bureaucracy, all based on trying to exploit the letter of the law in order to ignore the facts of the situation and to avoid any accountability.

You and the others connected with the Social Benefits Tribunal - by ignoring key facts and the financial realities - have been acting in a corrupt, lazy, sloppy, arrogant and un-professional manner.

You and the others have been, and are still, dealing with my case as if all that matters is your own bureaucratic / judicial process and your own administrative convenience. In other words, you have all been trying to hide behind the letter of the law in order to pretend that the facts don't exist because they happen to be inconvenient.

I also note, from your letter to me of January 9th 2007, in which you said that “a decision will not be of precedent value for the issues that (I) raise”, and in which you refused me permission to have observers present at my January 17th 2007 hearing, when you were “General Manager” at the Tribunal. Back then you were also attempting to minimize the issues that I raised, or deny them altogether. **Your promotion since then to Vice-Chair of the Tribunal, sitting in judgement on my appeal to the Chair of the Tribunal, and where you are now attempting to exacerbate a situation for which you yourself are partly responsible, is clearly improper.**

Ms. Roslynne Mains and the others connected with this affair have previously been warned many times about the possible consequences for them of continuing on this course.

Finally, you don't even have the courtesy to ask me whether I have a job or not. I don't, **partly** because of the time-wasting, machinations and legalistic finagling of your own organization, Roger R. Presseault and the federal Unemployment Insurance Commission before that. That's not good for making taxpayers out of people like me who want to work.

You don't know what you are doing and are determined to cover everything up. Either that - or if you THINK you know what you are doing, then you are deliberately using your knowledge of legal procedures and the letter of the law in a manner calculated to produce nonsensical results.

As I have said before, on more than one occasion, a “sloppy bang-up job” by all concerned, all the way from the beginning in 1994.

You will withdraw the overpayment assessment against me immediately, or I will take action to have your employment terminated without further notice or warning. **Fix the law properly or GET OUT.**

Robert T. Chisholm

Web site: www.exposethismuck.com

Copies for information:-

Mr. Ryan Kelahear – Director, Legislative affairs and Community Relations - Office of the Mayor, City of Ottawa - ryan.kelahear@ottawa.ca

Ms. Carole Sherman, City of Ottawa Overpayment Unit - OverpaymentRecovery@ottawa.ca

Mr. Rick Chiarelli – Councillor, City of Ottawa - Rick.Chiarelli@ottawa.ca

The Hon. Jim Watson – M.P.P., Ottawa West-Nepean - jwatson.mpp.co@liberal.ola.org

All other Ontario M.P.P.'s

Quote: “We cannot afford to waste lives or be lazy and sloppy.”

- John Ralston Saul, “A Fair Country: Telling Truths about Canada”, 2008 - page 310, under “AN INTENTIONAL CIVILIZATION / A Circle of Fairness”