

February 23, 2009

Dear friends:

**CHF Canada Legal Assistance Fund  
Good news about Thornhill Green but we still need your help.**

I'm writing to you with some positive news about one of our toughest battles to protect co-operative housing. **And to ask again for your help.**

On February 11, the Ontario Divisional Court ruled on the case between Thornhill Green and York Region.

A year ago, the Regional Municipality of York, which administers SHRA housing co-ops in that region, decided behind closed doors to force the sale of Thornhill Green Co-operative Homes to its own housing company, Housing York Inc., for little more than half of the co-op's market value. Thornhill Green, supported by CHF Canada, went to court to ask for a judicial review of the Region's decision. The case was heard in the Ontario Divisional Court this past December and we received the decision on February 11.

In its decision, the Court ruled that York Region owed a legal duty of fairness to Thornhill Green, and that the Region had failed to meet that duty. The Court also emphasized the special nature of non-profit co-operative housing: "A co-op is an independently-functioning entity distinct from the Region, and must have a hand in determining its own destiny. ... It was an error for the Region to treat this important feature as immaterial."

In the end, the Court referred the matter to another court that is hearing a motion to sell the co-op, saying the Co-op should get "ample opportunity to fully and fairly address all issues."

Although the court agreed with the points made by Thornhill Green and CHF Canada, the co-op still has an expensive battle ahead.

And other SHRA co-ops in Ontario are facing similar challenges.

**That's why we need your help.**

Last year, we sent you a letter to ask you and the members of your co-op for help. Our letter to you said that to meet continual threats to the co-operative way of life — your voice in deciding what your housing co-op does to meet your needs as a member — **CHF Canada has created a national Legal Assistance Fund for housing co-ops.**

Many co-ops have already responded. You can see the list on our website.

But if you haven't, or if you feel you can make another contribution, we'd like you to contribute now.

This is not the first time co-ops have had to go to court recently to protect members' rights, especially in Ontario, where some local governments have tried to resolve co-op financial issues and underfunding by unjustly putting co-ops in receivership. Co-ops have fought back, and one has already won a significant victory in court — the receivership was quashed.

Thornhill Green has already spent well over \$200,000 defending itself in court. You can see why co-ops need your financial support to help with these cases. We all know how important it can be to defend our interests as housing co-op members with legal action. But legal action comes with financial costs and those costs have been growing steadily.

Your co-op can help by donating to a national Legal Assistance Fund so we can afford to defend our movement's interests with legal action. This fund will ensure the housing co-op movement can help to defend the interests of co-op members like you in court if it has to.

Our members have told us they want to support co-ops that launch legal actions, and this is a great way for your co-op to do that.

Sincerely,

Ken Elliott  
President

ps: **Please respond as soon as possible.** The Legal Assistance Fund needs your co-op's contribution to help protect our future together!

To help Thornhill Green Co-op with their legal costs, please send your cheque to:

CHF Canada  
225 Metcalfe Street, Suite 311  
Ottawa ON K2P 1P9

Cheques should be made out to **CHF Canada** and on the memo line write Legal Assistance Fund - for Thornhill Green.

For more information, please contact Harvey Cooper, Manager, Government Relations, Ontario Region, at 1-800-268-2537, ext.237 or email [hcooper@chfcanda.coop](mailto:hcooper@chfcanda.coop).