

Home Equity Assistance

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03 Nov, 2013

REQUEST FOR SUPPORT – SYSTEMIC DENIAL OF HOME EQUITY ASSISTANCE TO MILITARY FAMILIES

Reference: A. Findings of the Chief of Defence Staff Grievance at <http://www.cfgb-cgfc.gc.ca/cs-sc/2011-025-eng.html>

B. DND ATIP # A-2010-00699 at <http://healoss.files.wordpress.com/2013/01/ati-a-2010-006991.pdf>

C. Military Grievances External Review Committee (MGERC) publication “Perspectives” at <http://www.cfgb-cgfc.gc.ca/pub/perspectives/201105-eng.html>

D. Canadian Forces Grievance Board 2012 Annual Report at http://www.cfgb-cgfc.gc.ca/english/Reports_AR_2012_4.html#section4_2

E. HEA discussion at <http://healoss.wordpress.com/>

F. Fundraising site at <http://www.gofundme.com/Home-Equity-Assistance>

I am humbly requesting your support in an ongoing battle (reference A) affecting many military families. One component of the relocation program (reference B) offers equity protection if members are relocated from a “depressed market” and the housing market in their community declines by 20% or more.

While the CF supported the applications, the Treasury Board Secretariat (TBS) dismissed all 146 applications between 2007-2010. TBS rationale for denying entitlements included:

- “based on an email notification provided by a staff officer at TB in May 2009 to the effect that there are no “*depressed markets*” in Canada” (reference C);
- “*given other more pressing priorities and TBS conviction that there simply isn't a big enough problem to justify a submission for a policy change.*” (reference C);
- TBS staff used a study based on a sample size of 9 military relocations in metro Edmonton in 2008 to assess area housing market conditions. This was used to deny depressed market conditions in Bon Accord (40 km away) during 2010;
- Replaced the term “community” as written in the policy with “Census Metropolitan Area” in their denial letters, thereby negating the claims, contrary to the purpose of the CFIRP. “The (MGERC) Board is concerned that as a result of the rigid and perhaps unreasonable position taken by TBS, CF members will continue to suffer large losses on the sale of their homes upon posting. In the Board's view, ignoring losses of this magnitude **does not respect the aim** of relocating CF members at a reasonable cost to the public while imposing

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minimum detrimental harm on the CF member and his or her family... In our view, immediate action is required. CF members deserve fair and equitable compensation where relocation results in financial hardship” (reference D);

- The Treasury Board Secretariat acted beyond their delegated authority of the FAA by using a blanket denial to deny all 100 % HEA entitlements contrary the purpose of the HEA entitlement: “The Treasury Board delegates, pursuant to subsection 6(4) of the Financial Administration Act, to the Secretary of the Treasury Board, the Board’s authority under subsection 35(2) of the National Defence Act to determine and regulate payments that may be made to Canadian Forces members, for the following specific purposes:
 - (a) to ensure comparability to payments that are authorized to be made to a public service employee in similar circumstances; and
 - (b) to make minor amendments to the unique travel and relocation benefits that may be payable to Canadian Forces members, if the Secretary is of the opinion that the amendments **will not change the essential character of those benefits.**)

Affected families have exhausted the redress of grievance system, and are now, at great personal cost, funding a Judicial Review as recommended by the CDS.

I am one of these soldiers. Our family lost \$73,000 out of pocket over three years ago. The secondary costs are now over \$250,000. It has cost me my career, my health and my family (ref E). I was denied all sources of military assistance, and I use social assistance to support my family of seven. Or family has sold the majority of assets to make ends meet. After going to war and serving 24 years in the Canadian Forces, I would not expect that the most difficult fight of my career would be such a blatant and obvious oversight.

I am requesting donations in order to support the [Soldiers’ Justice Fund](#) (reference F) which was created to assist with the cost of the Judicial Review. Donations may be made publicly, or anonymously. Thank you very much for your consideration in this matter. Please do not hesitate to contact me if you require further information or clarification.

Respectfully,

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