



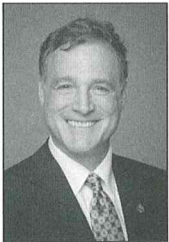
HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

*Ottawa*

Room 774  
Confederation Building  
Ottawa, Ontario  
K1A 0A6  
Tel.: 613-995-9378  
Fax.: 613-995-9379

*Constituency*

530 Portland Street  
Suite 204  
Dartmouth, Nova Scotia  
B2Y 4V6  
Tel.: 902-462-6453  
Fax.: 902-462-6493



*Robert Chisholm*

Member of Parliament  
/ Député  
Dartmouth—Cole Harbour

Robert.Chisholm@parl.gc.ca  
www.robertchisholm.ca

*Ottawa*

Pièce 774  
Édifice de la Confédération  
Ottawa (Ontario)  
K1A 0A6  
Tél. : 613-995-9378  
Télééc. : 613-995-9379

*Circonscription*

530, rue Portland  
Bureau 204  
Dartmouth  
(Nouvelle-Écosse)  
B2Y 4V6  
Tél. : 902-462-6453  
Télééc. : 902-462-6493

Hon. Tony Clement  
Treasury Board President  
House of Commons  
Ottawa, Ontario  
K1A 0A6

January 12, 2015

Dear Minister Clement,

I am writing to follow up on the on-going case of Major Marcus Brauer and his efforts to be fairly compensated under the Home Equity Assistance program.

You will recall I first wrote to you about Major Brauer in June, 2012 when his case was already two years old, and I have communicated my concerns over this matter to you several times since then. As recently as September 2014 I asked you about Major Brauer in the House of Commons, four months after a federal court ruled that your board's denial of Major Brauer's claim "was unreasonable in the sense that it was not justified and was outside the range of acceptable outcomes defensible in light of the facts and the law." At that time you told the House that you intended to comply with the decision which called for a review of the claim reflecting the valid arguments made by Major Brauer. We spoke directly about the issue a couple of times in the following weeks and by late November you told me a third party was reviewing the claim and Major Brauer's lawyer would hear from them soon.

I subsequently learned the third party review your department solicited was done in a way that can only be described as flawed and, frankly, appears to have been crafted with the goal of justifying your department's initial denial as opposed to reflecting the spirit of the federal court decision. For example, only a small portion of the report deals with the Town of Bon Accord. Instead it continues to wrongly focus on the Edmonton Census Metropolitan Area, which has no reasonable bearing on Major Brauer's situation. The report also uses the purchase of Major Brauer's house in its analysis but fails to include the sale of that house.



I must remind you that Major Brauer's claim had the support of the Chief of Defence Staff, and the Canadian Forces ombudsman. Despite that, your board has expended a great deal of time and money to justify denying Major Brauer, and many other CF members, compensation to which they are clearly entitled.

The failure of your government to address this family's claim fairly and promptly has been terribly expensive. It has cost the Brauer family significant and unnecessary hardship, both financial and emotionally. It undermines the trust that CF members need to have in their relationship with the Canadian government. It also costs taxpayers dearly as they continue to pay untold sums to fight Major Brauer's claim through staffing costs, lawyers' fees, court costs, and external reviews.

It is incumbent upon you, Minister, to put a stop to this expensive charade immediately. Compensate Major Brauer and instruct your department to review all similar cases with a mind to fairness, and not stubborn defiance.

Thank you for your time on this matter, I look forward to your response.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert Chisholm". The signature is fluid and cursive, with a large initial "R" and "C".

Robert Chisholm, MP  
Dartmouth – Cole Harbour

Cc Major Marcus Brauer  
Hon. Rob Nicholson, Minister, Department of National Defence