

APPENDIX "A"

Minister of State
Urban Affairs
Canada

April 13, 1973

Judge Charles O. Bick
Chairman
Metropolitan Board of Commissioners
of Police
590 Jarvis Street
Toronto, Ont. M4Y 2J5
Dear Sir:

I wish to thank you for having your Executive Secretary send to me a copy of the report dated March 9, 1973 from the Chief of Police concerning Rochdale College in the city of Toronto.

I join with the members of your board in expressing concern over the contents of this report and I appreciate your courtesy in sending to me a copy of it.

Because of statements attributed to members of the Toronto Police that Rochdale College should be closed, I feel that the federal government's responsibility in this case must be clarified. Our involvement, as you are aware, is through Central Mortgage and Housing Corporation who hold a first mortgage dated February 15, 1967, which said mortgage was made for the purpose of financing what appeared to be a legitimate student co-operative residence. The loan was made following consultations with representatives of the University of Toronto and the government of Ontario. This residence was subsequently sold to Rochdale College and the mortgage went on repayment March 1st, 1969.

With the build-up of mortgage arrears, CMHC issued a writ of foreclosure on August 17, 1971, claiming foreclosure, suit on the covenant and possession. Due to the fact that the action for foreclosure and possession was opposed by Revenue Properties Central Developments Ltd., a secondary encumbrancer, and by Rochdale College, the owners, the main foreclosure action has not yet come to trial, and CMHC was barred from possession of the building. However, pleadings have been noted closed and

appointments are being made to examine witnesses as the result of issues that have been raised by the said pleadings. It is most difficult at the present time to give you any firm indication as to when this action will be finalized and possession and management obtained by CMHC but the solicitors have been instructed by CMHC and personally by me to proceed as expeditiously as possible with this action.

You are aware that CMHC's solicitor, having been denied possession by the court, made an application to the Supreme Court of Ontario for the appointment of an interim receiver to act on behalf of all creditors and obtained an order on September 14, 1972, appointing Clarkson and Company as the interim receiver and manager. It is to be noted that this court order was for the benefit of all creditors and specifically excluded CMHC from taking over possession and management of the residence. The administration of this institution would now seem to be accountable to the Supreme Court of Ontario.

I would like to assure you of all possible co-operation in resolving this very unsatisfactory situation but I must emphasize that the onus of law enforcement at Rochdale College is clearly the responsibility of the police and not that of the Minister of State for Urban Affairs or CMHC.

I have read with interest that the Attorney General of the Province of Ontario has asked for a report on Rochdale College following a recent coroner's jury recommendation which stated, "If there are any existing legal reasons why Rochdale College cannot be closed down, that the provincial Attorney General facilitate legislation to close Rochdale as it now exists, at the earliest possible time." In view of this I am taking the liberty of sending a copy of this letter to the provincial Attorney General.

In response to your last point I wish to assure you that officials of CMHC will welcome the opportunity of discussing the situation at Rochdale if, and when, the court grants possession and title of the building to CMHC, at which time we will look forward to your co-operation to enforce our rights.

Yours sincerely,

Ron Basford.