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University could face million dollar lawsuit, tenants say residence rent increases illegal

By IAN KELLOGG

The York university administration could be in serious legal and financial difficulty because they may have failed to comply with several provisions in recent rent review legislation, according to the York University Tenants Association (YUTA) and CYSF president Barry Edson.

The question arises from rent review legislation and the rental increase of 13.5 per cent in York residences last May. The administration thinks rent review does not apply to this increase while the student groups are now convinced it does.

According to the Ontario government's Bill 60, which became law on May 21, university residences are exempt from Ontario's rent review legislation provided the university complies with three conditions.

According to Bill 60 every university administration must: 1) consult with a student body representing student tenants before announcing a rent increase; 2) file a statement with the rent review officer certifying that such consultation has taken place, and; 3) then give notice of the increase to residents.

Edson and YUTA — which represents the four graduate residences and Atkinson College residence, have been told by their lawyers the three conditions have not been fulfilled, for the May increase.

If this is proven true then the 13.5

per cent increase could be illegal and the university could be violating the rent review legislation.

If such legal arguments are true it may put the university in a financial squeeze. It would mean they cannot legally collect this year's higher rents.

It would also mean that individual residents could conceivably charge the university with a violation of the rent review legislation which carries a maximum fine of \$2,000 per rental unit. The combined possible fines of all the units in graduate and undergraduate residences would be in the millions of dollars.

Residents feel they have a bargaining position but what student groups hope to gain from this situation is as yet not clear.

A Monday night meeting of YUTA dealing with the rent increases adopted a conciliatory approach towards the administration. A motion was passed stating the association would be willing to take the initiative in helping the university avoid a financial crisis.

Bob Freeman, a member of the YUTA executive and a leader in the rent review investigation, made the motion and suggested some possible initiatives. They are: 1) a campaign to have students give the university their excess rent in the form of a tax deductible donation; 2) campaign to have excess rent be treated as a loan to the university

from the residents; 3) help in a university sponsored fund raising drive; and 4) have student input into management in the search for cost cutting ideas.

Barry Edson, president of CYSF also favours a passive stance in the face of the university's alleged mistake over the rent increase. Edson said he would search for a solution "in the fastest possible

time with the least possible friction". He felt if both sides were level headed a good solution could be found. The CYSF itself will be meeting tonight and the rent situation will be on the agenda.

Both Linda Hayward, acting residence manager, and Harry Knox, assistant vice-president of business operations, assured Excalibur that at the time of the

May 31 rent increase the administration were confident they were interpreting the rent review legislation correctly.

However, they are not closing their doors to the different view. Knox is meeting with YUTA and CYSF this week to discuss the rent problem and Hayward said she would be pleased to deal with YUTA anytime.



Why is the Minister of Colleges and Universities, Harry Parrott hiding his face in his hands? What is CYSF president Barry Edson reading? To find out the answer to these and other questions, see story on page four.

GAA votes no work on day of protest

By MICHAEL HOLLETT

York's Graduate Assistants Association (GAA) — the campus union representing teaching assistants, part-time faculty and tutorial leaders — voted Monday not to work on October 14 in support of the Canadian Labour Congress' (CLC) Day of Protest.

The GAA's motion says the government's wage controls destroy workers' right to collective bargaining and calls on members of the union to support and participate in the day of protest.

Ilene Crawford executive coordinator of the GAA said, "At 10 am on October 14 we will join with local two of our union (University of Toronto's Graduate Student's Association) at U of T and march to Queen's Park to participate in the CLC rally."

Crawford said the union's job now is to make sure all GAA members are aware of the decision.

A clause in the motion commits the GAA to defending any member who suffers sanctions as a result of participation in the day of protest.

Crawford said, "There have been no direct threats from the administration but there is an outside possibility they will deduct a day's pay from those who don't work."

"The administration has got to work with five unions on campus after October 14. It is the new industrial scene and I think they are not to keen on disturbing the budding relationship", she said.

York vice-president, William Farr was asked about the GAA and

other York unions decisions not to work on the fourteenth. He said, "We have made no decision yet though, the union's decisions are a violation of the collective agreements each union has. Surely they don't expect to get paid. Besides the lost pay, my own position is one ought not to get into penalties."

Farr said he wasn't surprised by the GAA's decision. "They probably think it's vogue," he said.

The York University Staff Association (YUSA) has not yet reached a decision regarding the day of protest. Voting of the union's members will not be concluded until today.

In a related move the Osgoode Hall Legal and Literary Society, the law school's student council, has also voted to support the day of protest.

John Tory, president of the Legal and Literary Society said, "We sympathize with the intent of the day though we are not going to condemn students who attend classes on the fourteenth."

"We are asking students to do what they feel is best," he added.

The society's motion states support for students who do not attend class on the fourteenth while urging those who do to discuss it in class.

At a meeting tonight, the Council of the York Student Federation (CYSF) will re-consider a previous decision not to support the day of protest.

Glendon is 'bursting at seams'

By ANNA VAITIEKUNAS

A 'mix-up' may be the cause of an unanticipated 17 per cent enrollment increase in first year students at Glendon College said York vice-president William Farr last week.

Farr said that the increase in first year registrations came from "what I understand to be a mix up or an error" made in the admission department.

"From what I hear there was a misunderstanding over how a pool of qualified applicants was to be treated," said Farr.

Neither the principal of Glendon College nor the admissions director has said that the enrollment increase was caused by a mistake.

Admissions director Sandy MacNeil maintained the late flurry of applicants was due to a "high response rate".

When projecting enrollment increases, the university calculates that one out of every three students who are offered admission will register and, according to MacNeil, more students registered than was expected.

According to all sources, Glendon College initially had fewer applicants following this year's metro high school teachers' strike.

According to Farr, Glendon didn't receive the amount of applications necessary for it to meet the university-wide targeted

enrollment increase.

During the summer, York increased the minimum average enrollment mark for the faculty of arts from 60 per cent to 64 per cent because of a general increase in applications to the faculty. An arts faculty holding pool of applicants who were strong candidates for acceptance but did not have average marks higher than 64 per cent, was kept on file by the admissions office.

When Glendon didn't receive the amount of applicants necessary for it to meet its targeted enrollment increase, the admissions department offered admission to the strongest candidates from the holding pool. According to Farr, too many offers of admission were mailed out.

"The admissions office offered the students with marks higher than 60 per cent who could not get into the faculty of arts, an opportunity to go to Glendon" said Farr.

"They made some kind of selection of all the applicants in that 60 to 64 per cent pool and when it came time to implement the offers of admission to that pool, it went out to more categories in their selection than they had anticipated," he said.

Both MacNeil and Glendon principal David MacQueen told Excalibur only 50 students from the

holding pool were sent admission offers.

The Glendon register's office last week reported 600 first year, full and part time registrations this year, a 17 per cent increase over the 511 first year students registered at Glendon this time last year.

Total enrollment for Glendon so far is 1,578 students, a nine per cent increase over the 1,450 full capacity figure for the college.

The admissions department is still processing late Glendon applicants and according to MacQueen, there are still more students in the system who are attending classes but haven't registered.

MacQueen told Excalibur last week that because 'Glendon is now bursting at the seams', provisions are being made to accommodate the influx of students.

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