

Sample Statements of Particulars

Sample: Complainant (Jamie Larose v. Company XYZ)

Tribunal File No.: T1234/5678

CANADIAN HUMAN RIGHTS TRIBUNAL

BETWEEN:

Jamie Larose

Complainant

and

CANADIA HUMAN RIGHTS COMMISSION

Commission

and

COMPANY XYZ

Respondent

STATEMENT OF PARTICULARS OF THE COMPLAINANT

Facts

1. I am paralyzed from the waist down and get around through the use of a wheelchair.
2. On January 2, 2012, I visited the Respondent's offices to receive the services they offer.
3. Upon arrival at the Respondent's office building, I discovered that there is a flight of stairs that impede my access to the building.
4. There is no wheelchair ramp or other way for me to access the Respondent's office building.
5. On January 3, 2012, I called the Respondent to see how I might be able to access their services, considering I could not access their office building. A Customer Service Representative told me that Company XYZ's services could only be accessed in person at their office building. As a result, I was told that

Company XYZ could not provide me with the services I requested.

Legal Issues

6. I allege that the Respondent discriminated against me based on my disability, under section 5 of the *Canadian Human Rights Act* (the *Act*), by denying me the services it offers.
7. Company XYZ offers their services to the general public. However, because their services can only be accessed in person, and because their office building does not provide for wheelchair access, I was denied those services because of my disability.
8. Being denied services from Company XYZ hurt my dignity as a person and made me feel as though I was not an equal with other people who do not require the use of a wheelchair.
9. I had to go to another company to receive the services I requested from the Respondent. That other company offers the same services, but at a much higher price. It cost me an additional \$1,000 to get the same services I requested from the Respondent.

Remedy

10. Under section 53(2)(a) of the *Act*, I ask that the Tribunal order Company XYZ to cease its discrimination against wheelchair disabled people and install a wheelchair ramp at the front of its office building.
11. Under section 53(2)(d), I ask that Company XYZ compensate me for the cost of obtaining alternative services from another company in the amount of \$1,000. The invoice for obtaining these alternative services is included in the List of Documents below.
12. Under section 53(2)(e), I also request compensation for the pain and suffering I experienced as a result of the discriminatory practice. The Respondent's actions infringed my dignity and made me feel as though I was not an equal with other people who do not require the use of a wheelchair. On this basis, I believe compensation in the amount of \$5,000 would be appropriate.

List of Documents

Non-Privileged Documents		
Document #	Description	Date
1	Printout from Company XYZ's website describing the services that they offer.	January 2, 2012

2	Pictures of Company XYZ's office building.	January 2, 2012
3	Recording of telephone conversation with Company's XYZ's Customer Service Representative	January 3, 2012
4	Transcript of recording of telephone conversation with Company's XYZ's Customer Service Representative	January 3, 2012
5	Invoice from other company for services requested from Company XYZ	January 4, 2012

Privileged Documents

Document #	Description	Date	Privilege
1	Letter from Ms. Law, counsel for Jamie Larose, to Jamie Larose Re: CHRT complaint	June 1, 2012	Solicitor-client privilege
2	Legal opinion from Ms. Law, counsel for Jamie Larose, to Jamie Larose Re: CHRT complaint	July 1, 2012	Litigation privilege

List of Witnesses

NAME	SUMMARY OF ANTICIPATED TESTIMONY
Jamie Larose	Will testify as to my experience in dealing with Company XYZ; my version of the events leading to the complaint; and, the resulting impacts on me.
Kerry Tafton	Friend of the Complainant. Will testify as to the effects Company XYZ's denial of service had on the Complainant