

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

SVETLANA DANILOVA AND PAVEL DANILOV

Plaintiff

and

**ALLA NIKITYUK, VALENTIN NIKITYUK, YANA SKYBIN, YOUNG MENS CHRISTIAN
ASSOCIATION operating as YMCA SIMCOE/MUSKOKA AND YMCA
SIMCOE/MUSKOKA NEWCOMER SERVICES**

Defendants

AFFIDAVIT

of Anastasia Danilova

I, Anastasia Danilova, of 88 Bernard ave., apt. 704, in the city of Toronto, province of Ontario,
make an oath and say:

1. I am making this affidavit in support of the legal action of my parents against YMCA and Yana Skybin.
2. I have personal knowledge of all facts stated in this affidavit, except where I have been informed of such facts, in which case I have stated the source of such facts and hereby state that I believe such facts to be true.

3. Svetlana Danilova and Pavel Danilov are my mother and father.
4. Alla Nikityuk is my grandmother from my mother's side, and Valentin Nikityuk is Alla's husband and my step-grandfather.
5. I am 27 years old, have Master's degree in physics from University of Toronto and currently work as a Senior Modelling Analyst at the BMO Financial Group.
6. I have been living with my parents at 73 Widdicombe Hill Blvd., apt 901, Etobicoke from June 2007 till May 1st 2009 while attending University of Toronto. As a member of University of Toronto varsity volleyball team and Canadian national beach volleyball team, during my studies I have been receiving funding from University of Toronto Varsity Athletic scholarships, Ontario Quest for Gold sports development program, Sports Canada National Team Athlete Assistance program, which also covered part of my tuition, and Ontario Student Loan program. I was able to cover my university, tuition and other living expenses myself, including monthly rent without putting any financial stress on my parents.
7. In July 2007 my parents have purchased a house in Innisfil from Pratt Homes with closing date in summer 2008.
8. I lived independently at 526 Bathurst street, since May 2009, and consequently with my husband at 88 Bernard ave. in Toronto. My parents moved to their house in Innisfil shortly after I moved to my apartment at Bathurst street.
9. I heard of Yana Skybin from my grandmother (Alla) and step-grandfather (Valentin) when they lived with my parents, they spoke of her as their friend. Later the name of Yana Skybin was mentioned to me by my parents, when I also was told and I believe that to be true that she is a settlement counselor at the YMCA of Simcoe Muskoka area.
10. During the weekend of April 20-21, my husband Jan Niklas Caspers and I made a regular trip to visit my parents, which on average we take once a month. My father has showed me a letter from Yana Skybin as of December 20, 2011 and asked to comment on the events described in the 4th paragraph of the letter, since he had no recollection of the described events, while my name was mentioned in the letter. I attach the true copy of the letter as "**Exhibit A**".
11. During the weekend of August 20-21, 2011 I and my husband were in Innisfil visiting my parents, also to help to build and set-up a new gazebo in the backyard. I have a good recollection of that weekend, since building the gazebo was a big family event, of which we also took a lot of pictures.

12. In the 4th paragraph of her letter ("**Exhibit A**") Yana Skybin is writing about the events happening during that weekend "On the weekend their granddaughter came for a visit from Toronto, and they showed her the bruises, too. She had a very serious conversation with the parents and then begged Alla and Valentin to give it a try. Things should get better, she said."
13. I am stating that the description of the events of the weekend is not true, and below give my recollection of the events as the following:
14. On Saturday my grandmother and step-grandfather left for a birthday celebration with their friends, and I did not have a lot of interaction with them on that day. On Sunday my father and my husband were continuing the set-up of the gazebo outside, I was helping them when needed, sanding new Muskoka chairs, and occasionally going inside the house. My mother, grandmother and step-grandfather were staying primarily inside.
15. During one of my returns to the house I found my mother and grandmother having a discussion about social housing in the kitchen. During this discussion my mother was explaining to my grandmother why she and Valentin do not qualify for the social housing, primarily because they are under the sponsorship agreement and have high personal income. I joined the conversation, and also started explaining to my grandmother the situation with social housing and how they do not meet the requirements, I suggested that they should have a discussion about alternative options for living independently, which do not include social housing. Moments later my step-grandfather joined the conversation, he shortly switched to high and aggressive tone stating that my parents do not let him and Alla live independently, specifically do not allow to apply for social housing, and that this leads to a lot of fights in the house and makes his life miserable. My grandmother stated that their friends know better what is best for them than my parents, and, again that they do not understand why they cannot apply for social housing, and that they would like to give it a try in any case. I kept emphasizing during this argument and later during the day, when talking to my grandmother, that to make the living situation better, an open discussion about living separately should take place between them and my parents, but not in the context of social housing.
16. On Sunday, August 21, when I saw my grandmother and step-grandfather, they did not have any bruises, or any other signs of abuse on them.
17. I am making additional statements that I believe are related to previously described events:

18. The social housing discussion with my grandmother and step-grandfather on Sunday, August 21 was the first time I heard my grandmother or step-grandfather talking about living independently, and the emphasis was on the social housing option. However, my parents had been considering buying a separate condo for Alla and Valentin to live in before that. For example, on July 25, 2009 I visited with my parents a model condo as one of the potential options for buying. The condo was newly build and spacious and I think would be a great option for Alla and Valentin as a separate residence. It was close to my parent's place of residence, and thus convenient if any help would be needed. My parents had put the deposit for the condo, however I was told and I believe it to be true that the deal was cancelled due the worsened health of Alla and Valentin. I was told and I believe that to be true that my grandmother and step-grandfather expressed the preference to continue living with my parents to make sure that they can have close help from my mother when needed.
19. In the time prior to August 2011 events, when I together with my husband were visiting my parents' house, my grandmother and step-grandfather were often telling us stories about their English classes at the YMCA, the friends they meet there, and their multiple trips to festivals, Orillia boat tours, or Ontario African Lion Safari. They had all they needed, including full usage of the second car, their own credit cards, bank accounts, access to stores and cultural events.

SWORN BEFORE ME at the _____)

City of TORONTO, in the Province of Ontario)

In the County of _____)

this 1 day of MAY, 2013.)


 _____)
 Commissioner for Taking Affidavits


 ANASTASIA DANILOVA

JEFFERY A. BROWN
 Toronto Notary Public
 360 Bloor St. W. Suite 207E
 Toronto, On. M5S 1X1
 Tel: (416) 939-4158

Exhibit A



This is Exhibit "A" to the Affidavit of ANASTASIA DANILOVA sworn before me, this 1 day of MAY, 2013 at Toronto, ON.

[Signature]
A Commissioner, etc.

December 20, 2011

TO WHOM IT MAY CONCERN:

This is a letter of support for Alla and Valentin Nikityuk's request for internal review of the decision of the Social Assistance Program with the County of Simcoe.

Alla and Valentin are Russian-speaking clients that have been attending English classes at our centre for the past two years.

I received a call from their daughter on August the 19th telling me that her parents are losing their mind by asking to live separately. She wanted to inform me that if they come to me and ask for help, she wanted me to know there is nothing going on, and that nothing changed at their house.

On August 23, 2011 Alla and Valentin came for an appointment and asked me about the process of applying for subsidized housing. They shared with me that the atmosphere at home is unbearable with threats, verbal and physical attacks, and constant arguments. Their daughter and son-in-law are not happy with their independence. At that time Alla and Valentin had access to a car, and were driving to school and also went to places with friends on weekends. Alla showed me her arms, and there were bruises on both arms. On the weekend their granddaughter came for a visit from Toronto, and they showed her the bruises, too. She had a very serious conversation with the parents and then begged Alla and Valentin to give it a try. Things should get better, she said.

At this point I informed Alla and Valentin that this was a case of abuse, and gave them printouts about elderly abuse, translated into Russian with Google translate. I also told them that they don't need to keep quiet about this, and that this is illegal in Canada to threaten, yell or attack another person. I speak their language and have been able to communicate clearly and fully with them.

The couple did try for a month, but were back in my office on September 30, 2011 saying the situation has been bad and they are now hiding in their rooms, coming out to eat only when daughter and son-in-law are not around. The threats and yelling escalated. If the couple ignored the daughter and son-in-law, they would come into their rooms and continue, or would block the door to the bathroom in the morning when they were leaving for school.

The main reason for arguments and disagreement was money. The couple only had Russian pensions as their source of income in Canada, and the daughter and son-in-law were telling them they have to pay out of their pension for more and more things – like gas, internet or use of computer, they deducted money from their pension because they had Valentin's daughter visit in the summer, and according to Alla's daughter, there were more groceries needed to feed another adult. The son-in-law tried to convince Valentin and Alla to purchase burial insurance out of

their pension money because they are old and are going to die, and he is not going to be responsible for their burial. The children gave the elderly couple multiple credit cards that they opened in their names using the power of attorney the couple gave them for property and health when they first came to Canada. The children controlled where the pension was going, and also claimed their income tax return on their behalf, saying they are showing income for the elderly parents, and due to this income, they would never qualify for any social assistance or services, and they completely depend on the children. The children have sponsored them and now have full responsibility and control over their lives.

At this point I've referred the couple to Barrie Women's Shelter transitional services and Victim Services, and have acted as an interpreter during the whole time until they left home and needed the support of other agencies and services.

The daughter called me numerously (sometimes up to 5-6 times a day, using her phone, then Valentin's cell phone) asking for information, trying to send a threatening message to her parents, trying to find out where they live, accusing their friends of teaching them how to stand up for themselves. When I offered her to seek counseling, she refused, saying she just needs to find them; she does not want to involve agencies.

A couple of students in our classes have reported that they have been harassed by the daughter who called them a few times a day asking for information about her parents. She threatened the students by telling them she knows their addresses and she knows they have children, pressing for release of information about the location of her parents. She wrote to our agency that her parents are not mentally capable; they can't manage on their own. She told the students she harassed over the phone that her parents are crazy, they are sick.

None of us ever witnessed anything to support Svetlana's (daughter's) claim. Alla and Valentin have been coming to classes regularly, always seemed happy, very friendly, open people. They made friends with a variety of students. They are loved by the teachers and staff, and anyone that has come to work with them in the last few months. They are honest and at all time their story was consistent and proven by documentation they provided.

I hope these people will be treated properly and justly by the Social Assistance Program as they deserve. They are victims in this unfortunate situation when the family that sponsored them and was supposed to provide and care for them, turned against them, having used their assets to benefit themselves, and have had full control and debilitating power over their lives.

Sincerely,



Yana Skybin

Settlement Counsellor

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320 Bayfield St. Unit 63A Barrie (705) 797-2020
www.ymcaofsimcoe/muskoka.ca

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