

**Canadian Human  
Rights Tribunal**



**Tribunal canadien  
des droits de la personne**

**Citation:** 2024 CHRT 9  
**Date:** March 1, 2024  
**File No.:** HR-DP-2836-22

**Between:**

**Amy Vandermeulen**

**Complainant**

**- and -**

**Canadian Human Rights Commission**

**Commission**

**- and -**

**Carry the Kettle First Nation**

**Respondent**

**Decision**

**Member:** Athanasios Hadjis

[1] Amy Vandermeulen, the Complainant, has not communicated with the Tribunal since May 28, 2022. For the following reasons, I am dismissing the complaint as abandoned.

[2] The Complainant filed her complaint against Carry the Kettle First Nation, the Respondent, on March 25, 2019. The Canadian Human Rights Commission (the "Commission") referred the complaint to the Tribunal for inquiry on May 3, 2022.

[3] The Tribunal sent its initial letter by email to the Complainant on May 24, 2022, to the email address provided by the Commission. The Complainant responded to the Tribunal's letter by email on May 28, 2022, from the same email address.

[4] On November 9, 2022, the Tribunal sent an amended initial letter to the Complainant by email to the same address. The Complainant did not respond to the amended initial letter. On January 5, 2023, the Tribunal Registry attempted to contact the Complainant by telephone at the number that the Commission had provided, but the number was no longer in service.

[5] On February 24, 2023, the Tribunal sent the parties a letter advising them of the deadlines to file their respective Statements of Particulars (SOP) and exchange their disclosure documents. The letter required the Complainant to file her SOP and complete her disclosure by March 31, 2023. It was sent to her by email to the same address she had used, as well as by courier to the street address that the Commission had provided to the Tribunal. According to the courier company, it could not deliver it to that address because the "receiver moved."

[6] The Complainant did not file her SOP by the due date, and on April 17, 2023, the Respondent made a motion to dismiss the complaint under Rule 9 of the *Canadian Human Rights Tribunal Rules of Procedure, 2021*, SOR/2021-137 for failing to comply with the Tribunal's time limits.

[7] On June 2, 2023, the Tribunal Registry contacted the Commission to inquire as to whether it had any additional contact information for the Complainant. The Commission responded on June 5, 2023, providing the same contact information that was already on file.

[8] On October 6, 2023, the Tribunal sent a letter to the same email address that the Complainant had used in her last communication with the Tribunal. The letter directed the Complainant to contact the Tribunal by October 16, 2023, to confirm whether she intends to pursue her human rights complaint and to respond to the Respondent's motion to have her complaint dismissed. The letter said that if the Complainant did not respond by this date, the Tribunal may dismiss the complaint as having been abandoned.

[9] The Complainant did not respond to the Tribunal's letter. As noted earlier, she has not communicated with the Tribunal since May 28, 2022.

[10] It is up to complainants to advance their cases and to provide their most recent contact information (*Towedo v. Correctional Service of Canada*, 2024 CHRT 6 at paras. 4-5). The Complainant has not communicated with the Tribunal in over 20 months, and if her email or other contact information has changed, she has failed to provide it.

[11] In the circumstances, the Complainant is deemed to have abandoned her complaint. Without the means to contact her or any communication from her to indicate she is filing her SOP or otherwise wishing to proceed with her complaint, the complaint is dismissed.

## **ORDER**

[12] The complaint is dismissed as abandoned. The Tribunal's file will be closed, and the Tribunal Registry will advise the parties accordingly.

*Signed by*

Athanasios Hadjis  
Tribunal Member

Ottawa, Ontario  
March 1, 2024

# Canadian Human Rights Tribunal

## Parties of Record

**Tribunal File:** HR-DP-2836-22

**Style of Cause:** Amy Vandermeulen v. Carry the Kettle First Nation

**Decision of the Tribunal Dated:** March 1, 2024

Amy Vandermeulen, for herself

Shawn Spencer, for the Respondent