

Superior Court of Justice, Family Court

(Name of Court)

at 161 Elgin Street, Ottawa, Ontario K2P 2K1
(Court office address)

COURT FILE NUMBER

FC-15-2492

**Form 14A: Affidavit (General)
dated December 8, 2021**

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**Darryl Ross
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Ottawa, Ontario
K2J 5G2**

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Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**Cynthia Holmes
221 Brambling Way
Ottawa, ON
K2J 0E4**

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**Alison Boyce
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My name is

(Full legal name)

Todd Ross

I live in

(municipality and province)

Ottawa, Province of Ontario

and I swear/affirm that the following is true:

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

1. I am the Stepfather of the Applicant Darryl Ross (hereinafter referred to as "Darryl") to which I hereinafter depose. Where information comes from another person, that person is named, and I verily believe the information to be true.
2. I have concerns that Darryl has abused prescription and non-prescription drugs and drank alcohol to excess. Darryl has admitted past alcohol usage as well as usage of non-prescribed prescription medications. Further, he has been hospitalized in the ICU for alcohol abuse and has been involved in car accidents for the same reason.
3. I am equally concerned that Darryl may not be addressing his addiction issues in a full and truthful manner before this Honourable Court, issues which may be relevant to this Honourable Court. I have been advised that Darryl is seeking as much access as possible with my grandchildren.

BACKGROUND

4. I am Darryl's stepfather. I am currently employed as a contractor by the Department of National Defence. I have a very close relationship with my other children.
5. I first noticed signs of Darryl's drinking at a party at my stepdaughter's home, Alejandra McLaughlin, in or around the summer of 2016. He was so intoxicated that he could not stand up without weaving back and forth to keep his balance and avoid falling over. When Darryl spoke, he was incoherent, slurred his words and kept petering out mid-sentence. His judgment appeared impaired. The Respondent, Darryl's former spouse Cynthia Holmes (hereinafter referred to as "Cynthia"), voiced her concern that his drinking was increasing in frequency and severity. The children were present at the party.
6. My next experience with this was at a birthday celebration at my home, later that summer. Again, Darryl drank to excess and to the point of becoming incoherent and had to be assisted home. He was unable to speak without slurring his words and had difficulty in forming complete sentences. His judgment appeared impaired. The children were present at the party.
7. After Darryl and Cynthia separated, Darryl moved into a townhome in the Half-Moon Bay area. During this time, I visited him regularly. As time went on, I began to notice more beer/alcohol in the home and that his home became increasingly disordered and dirty. He also appeared to be heavily intoxicated to some degree on a frequent basis.

CONCERNS WITH DARRYL'S ALCOHOL AND SUBSTANCE ABUSE

8. Darryl reached out to me for money in 2016, claiming he needed it for a car. I gave him \$10,000 as a down payment. I later found out he had leased the car rather than buying it, which required only a few hundred dollars as a deposit. He claimed that he had used the rest of the money to cover legal fees. Darryl declined to provide any proof of this, and I was not able to verify it independently.
9. A few months later, in or around April of 2017, Darryl was arrested and charged with driving while intoxicated, leaving the scene of an accident, and failing a drug test. He was released to me at the main Ottawa police station as his surety. The vehicle was damaged beyond repair and subsequently completely written off.
10. One evening in or around April of 2017, I received a call from Darryl's sister, Angie. She and I went to Darryl's townhouse. We found him heavily intoxicated and he was having difficulty speaking. A next-door neighbour told us that Darryl's children had approached the neighbour because the children could not wake Darryl. I was advised Darryl had apparently passed out while supervising the children.
11. I made the decision to call Cynthia and have the children returned to her care to ensure that they were safe. She came to the home immediately and removed the children from the unfortunate situation. Darryl was very angry and made vague threats of retribution against his sister and myself. Communication between us stopped for some time after this incident.
12. Eventually, Darryl was evicted from the townhouse he rented. It had become very dirty, with unwashed dishes and articles strewn everywhere. I assisted him in removing some of his belongings – the landlord removed the rest, piling them on the front lawn.
13. Darryl next arranged to share an apartment in Barrhaven. The new arrangement only lasted a few months because the owner eventually evicted Darryl because of Darryl's his actions while intoxicated. For example, Darryl neglected the kitchen range while using it and passed out on the stairwell. I met with the flat's owner to discuss the situation and helped move Darryl's possessions to a storage facility.
14. One evening during this period, I went with Darryl to pick up an item from a store. He was intoxicated again, with an overpowering smell of alcohol. He alleged that it was Listerine Mouthwash.

15. Darryl's sister and I made a number of attempts to get help for him. This included reaching out to a number of psychiatrists and other mental health professionals. We eventually came to realise that Darryl was not being honest with either the doctors or with us, which made any treatment and progress difficult.
16. There was one interview in particular where my concerns regarding Darryl's drug habits and abuse of prescription medications was confirmed. In or about Spring 2017 Darryl, Angie and I attended the second meeting Darryl had with a Dr. Douglass at the Royal Ottawa Hospital. Angie and I attended in order to express our concerns about the medications Darryl was taking.
17. Dr. Douglass had been treating Darryl for his sleep disorder, had completed a psychiatric assessment and was prescribing certain medication. Dr. Douglass was shocked to learn about all the "prescriptions" that Darryl was taking (including clonazepam) which Dr. Douglass had not prescribed.
18. Darryl admitted that he had been obtaining multiple prescriptions for the same purpose from different doctors, and deliberately abusing these prescriptions because they intensified the effect of alcohol. Dr. Douglass sent Darryl for additional blood and urine tests and he was supposed to return to meet with Dr. Douglass in order to be monitored. I am unsure whether Darryl followed through with this recommendation or the tests.
19. Darryl had also agreed to participate in the SMART Recover program which was recommended by Dr. Douglass. To the best of my knowledge, Darryl only went once. He forged some notes saying that he was participating. However, Angie and I caught him lying and then he refused to return to the program.
20. Also at this time, I gradually discovered through email and phone calls that Darryl had been offering different and incompatible versions of events to different members of the family. I concluded that he was deliberately attempting to mislead us as to his efforts to obtain help. Bringing this up to Darryl caused him to cease any contact with me for a while.
21. Darryl eventually made contact with me again in or about 2018. This was shortly after an incident which led to his mother, Holly, being disqualified from supervising Darryl's visits with his children. From the timing of his request, it was apparent to me that he was only approaching me because he had no one else to supervise his visits with the children.
22. My last contact with Darryl was when he was taken to the intensive care unit at the Queensway Carleton hospital. This was in December of 2018. He had collapsed from malnutrition and dehydration as a result of self-neglect from drinking and alcohol poisoning. I have had no communication with him since. I sent Darryl a few email and text messages since that time but there was no response.
23. I have concerns with Darryl having in person access with my grandchildren currently, due to his behaviour in the past. I am concerned that Darryl may not be completely forthcoming to the court regarding his treatments and the medication he is currently taking.
24. I verily believe that Cynthia always has the best interests of the children at heart. She is protective of them to ensure that they are safe. She has also been diligent in ensuring that the children continue to maintain a relationship with their father despite the conflict between them. Cynthia also ensures that the children continue to have a relationship with their paternal extended family.
25. I swear this affidavit in support of the Respondent, Cynthia Holmes, and no other or improper purpose.

Put a line through any blank space on this page.

dated December 8, 2021

Sworn/Affirmed before me at:

Ottawa

(municipality)

in Province of Ontario

(province, state or country)

on December 8, 2021

(date)



Signature

(This form to be signed in front of a lawyer,
justice of the peace, notary public or commissioner
for taking affidavits.)

Commissioner for taking affidavits

(Type or print name below if signature illegible.)

2021-12-08 Affidavit of T. Ross

Final Audit Report

2021-12-08

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