



CITY OF HAMILTON

DECISION of the ELECTION COMPLIANCE AUDIT COMMITTEE

established under Section 88.37(1) of the *Municipal Elections Act, 1996* (the "Act")

A COMPLIANCE AUDIT APPLICATION RESPECTING THE ELECTION CAMPAIGN FINANCES OF J. VAIL, CANDIDATE, WARD 2

With respect to the meeting of the Election Compliance Audit Committee held on July 15, 2019 to deal with the Application for an Election Compliance Audit brought forward by Craig Burley (the Applicant) concerning the Financial Statement of John Vail (the Candidate), the Committee has decided to reject the application.

The Candidate may not have correctly calculated the value of reused campaign signs as required by the *Municipal Election Act, 1996*. However, any variance between the Candidate's estimate and a valuation determined by audit would not likely result in the Candidate materially exceeding the self-financing limit.

The Committee is in agreement that there has been a breach of the *Municipal Elections Act, 1996* and as such has the authority to order a compliance audit. In the Superior Court rulings of *Lancaster v. Compliance Audit Committee et al., 2013 ONSC 7631* and *Vezina v. Parrish, 2013 ONSC 2368*, it was held the ordering of compliance audit is discretionary.

The Committee, after considering the evidence and submissions, finds that a compliance audit is not warranted.

Dated at the City of Hamilton this 15th day of July, 2019.


Written and approved by the following Committee Members:



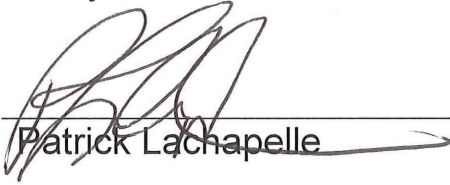
Linda Lister, Chair



Barry Gilbert, Vice-Chair



John Klein



Patrick Lachapelle



Jonathan van der Heiden