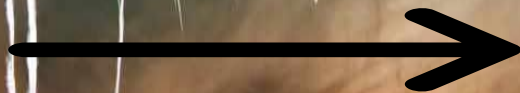




**THE PROPERTY STANDARD**

**GOODBYE 2023**



**HELLO 2024**



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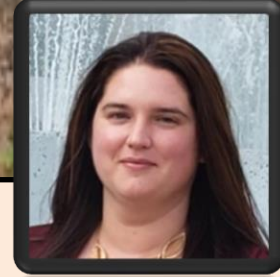
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# PRESIDENT'S MESSAGE



Happy New Year to all members and welcome 2024!

I hope everyone had a wonderful and restful holiday season. 2024 is a big year for OAPSO, we are turning 50!

Since 1974, OAPSO has played a fundamental role in promoting and maintaining standards related to property maintenance, occupancy, repair, and environmental considerations in Ontario. The association focus on providing training to municipal personnel involved in the administration and enforcement of Property Standards and other relevant legislation underscores our commitment to ensuring a high level of professionalism and expertise in this field.

The Ontario Association of Property Standard Officers (OAPSO) serves as a valuable resource and support network for its members, especially in the face of new and evolving challenges. Key benefits include:

**Knowledge Exchange:** Officers benefit from the collective knowledge and experience of the associations membership, sharing insights, best practices, and lessons learned.

**Professional Support:** The ability to reach out to the Board of Directors or fellow members provides an avenue for seeking advice and support. This is important when dealing with complex situations, such as those involving aggression, mental health issues, or homelessness.

**Collaboration and Networking:** The association facilitates collaboration and networking among members leading to the development of different approaches and creative solutions to address the unique challenges faced by Property Standards Officers.

**Professional Development:** The association provides opportunities for ongoing professional development, important in a field where regulations and situations can evolve. This ensures that officers are equipped with the latest knowledge and skills.

**Peer Support:** The ability to connect with fellow officers who are experiencing similar challenges fosters a sense of camaraderie and understanding. Peer support is invaluable in managing stress and navigating difficult situations.

In essence, OAPSO plays a pivotal role in creating a supportive community for Property Standards Officers, offering resources and avenues for collaboration that can contribute to the overall effectiveness and well-being of our members.

In celebrating our 50 th Anniversary, we honor the associations rich history and the contributions of its members over the past five decades. Plans include offering exclusive training opportunities for our members, guest speakers and a big party during our Annual Training Seminar, hosting a golf tournament and commissioning a Challenge Coin to mark this milestone. I invite you all to join us as OAPSO recognizes 50 years of building better communities through Property Standards.

Sincerely, Allison Henshall, CMMII Professional, CPSO, MLEO(c)

# MEMBER SPOTLIGHT

## Dan Allarie



### What is your favourite thing to do when you are not at work?

I enjoy being outdoors. I do that by hunting, fishing, and spending time with my wife Tanya and my son Carson at the cottage.

### What are you most thankful for?

I am thankful for my family. I enjoy spending my time with my wife and son.

### Where did you grow up?

I was born and raised in Timmins, Ontario. I stayed there until my late 20's.

### Where is the coolest place you have ever travelled to?

I have been lucky enough to travel to quite a few places. I would put Curacao and Costa Rica up at the top of the list.

What's your favourite colour?

Green.

### How or why did you become a Property Standards Officer?

While I was working as a security officer, I saw a posting for a Bylaw/Property Standards Officer. I thought it would be a cool job, so I applied. I was successful and the rest is history.

### Where have you worked as a PS Officer and when did you become a PS Officer?

I started as a Bylaw Officer/Property Standards Officer with the City of Timmins in 2006. Since then, I have worked for the City of Timmins, the City of Guelph and I'm currently working for the Municipality of Middlesex Centre just north of London.

### Have you had a difficult work situation that you have had to deal with?

#### If so, what was the situation and how did you overcome it?

I think as officers we all come across difficult situations with violent or angry people. I think in those times you need to stay calm and use good communication to try and diffuse the situation as best as possible.



# MEMBER SPOTLIGHT

## Dan Allarie

### What is your favourite holiday and why?

Christmas is special for me. It's a time with family and with a son who is 8 years old. It's incredible to see the joy on his face when he sees what Santa left for him under the tree.

### What do you like best about being a Property Standards Officer?

I like how every day isn't the same. When you get to work, you never know what type of calls and how many calls you will get.

### Who has been your biggest mentor and how did they impact your life?

I don't know if I have one specific mentor, but I've been very lucky to have great managers in my time as an officer. A good manager and leader can help shape you from a good officer into a great officer. I still keep in touch with all of my old managers and my current manager Arnie has been extremely supportive and encouraging. Thanks to Amos, Doug, Wiedy, Scott and Arnie.



### What are you most proud of in the job or in life or both?

I have been lucky in my career to receive a couple of awards and recognitions. I received the Professional Values award from the MLEOA, the Community Partner Award from the Guelph Police Service and recognition from the Guelph CAO. These are special to me, and I was proud to receive them.

### What is one thing you couldn't go a day without?

Coffee! It's my go to

### What is the greatest challenge or struggle you have ever faced and how did you overcome it?

Covid was probably the hardest time. Enforcing the Covid rules that changed daily, being the "bad guy" and telling people they couldn't be with family or hang out with their friends and working shift work while trying to homeschool your kids with online learning was tough. It was difficult trying to juggle everything at once. Thankfully we all pushed through it.



# INSTRUCTOR RECRUITMENT

The OAPSO Education and Training Committee is seeking motivated and dedicated individuals to become new instructors for our Legal, Investigation and Construction courses.

**If you:**

- Have a thorough knowledge and enthusiasm for your subject
- Understand the mission statement of OAPSO and believe in delivering a consistent message
- Are current in your field and are able to update training materials to keep topics relevant

**Then consider becoming an instructor and sharing your experience with the next generation of Property Standard Officers.**

**Requirements:**

- Ability to attend the Annual Training Seminar, dedicated training sessions and committee meetings
- Ability to travel across Ontario as required
- Excellent communication, interpersonal and presentation skills
- Experience in a classroom environment is preferable
- Ability to take feedback and constructive criticism
- Certified Property Standards Officer (CPSO) designation an asset
- 5-10 years' experience in property standards enforcement or municipal enforcement
- Written approval/support by employer authorizing your participation as an instructor

***This is a volunteer position. Expenses involving mileage, food and accommodations are reimbursed by OAPSO upon approval by the General Secretary. For more information, please contact Mary Beth Mitchell, Director of Education & Training at [education@oapso.ca](mailto:education@oapso.ca)***



### Introduction

There are important distinctions between the role played by municipal prosecutors and the other, various roles that lawyers employed or retained by municipalities have. This paper reviews the duties of a prosecutor, with a special emphasis on prosecutorial independence, and then looks more closely at the duty of disclosure of information.

#### 1. Duty of a Prosecutor

A good starting point for understanding prosecutorial independence and other obligations specific to municipal prosecutors is the Law Society of Ontario's Rules of Professional Conduct. The applicable Rule reads as follows:

##### Duty as Prosecutor

5.1-3 When acting as a prosecutor, a lawyer shall act for the public and the administration of justice resolutely and honourably within the limits of the law while treating the tribunal with candour, fairness, courtesy, and respect.

Duty means a legal obligation that is owed or due to another and that needs to be satisfied; an obligation for which somebody else has a corresponding right.<sup>3</sup> The words, duty and obligation, will be used interchangeably in this paper.

In very general terms, the Rule brings home that a prosecutor's primary duty is not to its municipal client but to the public and to the administration of justice. The commentary that accompanies the Rule goes on to note that "The prosecutor exercises a public function involving much discretion and power and must act fairly and dispassionately."

This duty applies to municipal prosecutors just as it does to Crown Attorneys dealing with charges under the Criminal Code or government lawyers prosecuting offences under the Provincial Offences Act for their ministry. It is inextricably linked to what the Supreme Court of Canada has described as a basic tenet of our legal system, namely prosecutorial independence.

##### a. Prosecutorial Independence

The most important distinction that municipal prosecutors must remember, whether employed in-house or retained as outside counsel, is that in exercising their discretion, both they and the municipality are bound by the principles of prosecutorial independence

Looking at these principles first in a more general context, in the case of *R v. Cawthorne*, the Supreme Court of Canada held that a prosecutor, be it an Attorney General, a Crown Prosecutor, or some other public official exercising a prosecutorial function, has a constitutional obligation to act independently of partisan concerns and other improper motives. Thus, it may be necessary from time to time to remind municipal clients that political or other considerations cannot bind a prosecutor's discretion.

# B

Once a charge is laid, the prosecutor's role is to review all the relevant facts. If there is no reasonable prospect of conviction, in keeping with the prosecutor's duty of fairness to the public and to the administration of justice, the charge should be withdrawn.

In some cases, such as instances where the only witness has died or the only evidence of an offence is otherwise no longer available, the decision that there is no reasonable prospect of conviction is obvious. In many cases, however, determining the likelihood of conviction relies on the prosecutor's professional judgment, and an exercise of discretion becomes necessary. It is fundamental to the prosecutor's duty that such discretion be exercised fairly and independently. Although municipal prosecutions were not specifically mentioned in Cawthorne, the application of this important principle to municipal prosecutions is clearly supported by the jurisprudence.

In *Oshawa (City) v. 536813 Ontario Limited*, the Court confirmed that "prosecuting in accordance with Part X of the Provincial Offences Act and the Memorandum of Understanding mandates a prosecutorial standard that includes prosecutorial independence, fairness, impartiality, competence and integrity."<sup>5</sup> That decision arose in the context of a prosecution under a provincial statute (the Building Code Act) and, therefore, pursuant to the Memorandum of Understanding under which municipalities now prosecute such provincial offences. The standard for a prosecutor of municipal by-laws is the same.

In the *City of Oshawa* case, the appeal court overturned a costs award against the city that had been based on an assumption in the trial court that the prosecutors (who were hired by the city) were acting on behalf of the city's interests. In disallowing the costs award against the city, the appeal court affirmed the independence of the prosecutors and noted that if there was evidence that their prosecutorial independence had been compromised, it would "inflict enormous damage to the public proper administration of justice."<sup>6</sup> In the absence of any evidence that their prosecutorial independence had been compromised, the appeal court assumed that the prosecuting legal professionals adhered to their professional obligations.

For municipal prosecutors, in practice the principles of prosecutorial independence mean that once a charge alleging breach of a by-law or of a statute they are tasked with prosecuting is laid, it is their duty to determine whether or not the charge should go to trial. As noted above, this means that in cases where there is no reasonable prospect of conviction, the prosecutor's duty is to withdraw the charge, whether or not their employer or client wishes the charge to proceed. Similarly, where a stay or withdrawal of a charge might be preferred by the municipality for policy or other reasons, the decision to continue with the prosecution must be exercised in accordance with the prosecutor's obligation to act resolutely for the administration of justice. In either case, the prosecutor's decision may require an independent exercise of professional judgment, which cannot be compromised by the imposition of a municipality's self-interest.





# B

That being said, even after charges have been laid, a prosecutor can and should discuss with staff responsible for the charge being laid (such as the by-law enforcement officer who swore the information or their supervisor) matters relating to a prosecution, including potential penalties or resolutions. However, while it is permissible for the prosecutor to seek input from the municipality, the municipality cannot impose its wishes on the prosecution and should not seek to exert pressure on the prosecutor by advocating its views on whether continuing or withdrawing the prosecution is in the public interest.

It should also be noted that the municipality does have an important role to play prior to charges being laid. It is not necessary or appropriate that every breach of a by-law, or violation of a statute or regulation such as the Planning Act or the Building Code, be met with charges. For example, staff have the discretion to determine whether a charge should be laid. They can properly consider whether deterrence or compliance can be achieved some other way, such as by a warning or diversion. Council can appropriately request that staff investigate circumstances to determine whether charges be laid. The municipality can, if it has jurisdiction from the province, pass by-laws to address concerns about conduct it considers inappropriate or broader policy interests.

## **b. The duty to act fairly**

Beyond prosecutorial independence, there are other aspects of their special duties of which a prosecutor must be mindful. Further commentary that accompanies the Rule earlier referenced notes that when engaged as a prosecutor, the lawyer's prime duty is not to seek to convict but to see that justice is done through a fair trial on the merits. The Supreme Court of Canada, in *Krieger v. Law Society of Alberta*, held that the prosecutor exercises a public function involving much discretion and power and must act fairly and dispassionately. This principle was reiterated by the court in Ontario (*Attorney General*) v. *Clark*, where it held that the principle of independence is tied to the prosecutor's obligation to make objective and fair decisions. The prosecutor's duty is to assist the court to arrive at the truth and to do justice between the community and the accused, according to law and the principle of fairness. The Charter recognizes that an accused is entitled to a fair trial. The prosecutor should help ensure that the trial process is one devoid of prejudice, misfeasance or emotional attack on the accused.

## **c. The duty to disclose**

It is a cardinal principle of criminal law that the prosecutor must provide to the accused all information in their client's possession or control relating to the charges against an accused person. In the leading case of *R. v. Stinchcombe*, the Supreme Court of Canada confirmed that the Crown has a duty to disclose all relevant information to the defence.<sup>10</sup> The Court held that this duty arises under section 7 of the Charter which includes, as a principle of fundamental justice, the right to make full answer and defence. Among other things, the duty to disclose all relevant information in a timely way helps to ensure that the accused is capable of making full answer and defence.

# B

With respect to what should be disclosed, the general principle is that all relevant information must be disclosed subject to the reviewable discretion of the Crown. Although not absolute, there are few exceptions to this principle, some of which are discussed below. The material must include not only that which the Crown intends to introduce into evidence but also that which it does not. No distinction should be made between inculpatory and exculpatory evidence.

## **2. Where Stinchcombe and Freedom of Information Meet**

Municipalities are generally very meticulous about their obligations to maintain confidentiality in accordance with their obligations under freedom of Information legislation. Protection of confidential information tends to be a default reaction to all requests for information. However, in municipal prosecutions, that instinctive protection of confidentiality will often conflict with disclosure obligations under the Charter. As a municipal prosecutor, it is vital to remember that Stinchcombe disclosure obligations trump the confidentiality protections under the provincial freedom of information legislation.

A broad outline of disclosure obligations of the Crown, which apply to municipal prosecutors, was provided in the previous section. At the same time, Ontario has enacted freedom of information laws which have prompted additional information disclosure rules: the Freedom of Information and Protection of Privacy Act<sup>13</sup> (“FIPPA”) and the Municipal Freedom of Information and Protection of Privacy Act<sup>14</sup> (“MFIPPA”). These laws are geared primarily towards promoting transparency and accountability of government and public institutions, balanced with protecting privacy interests. Staff pursuit of the latter goal - protecting confidentiality - sometimes collides with the prosecutor’s obligation to disclose.

The disclosure rules under the Charter and FIPPA/MFIPPA usually apply separately and in different situations. The Charter disclosure obligations typically apply in ongoing prosecutions. By contrast, FIPPA and MFIPPA apply to a fairly broad range of materials and not just in the context of legal proceedings, although there are exceptions.

If a requested record falls within the scope of both sets of rules, Stinchcombe will take priority. FIPPA and MFIPPA, like all other laws, must be consistent with the Charter. As the Divisional Court put it in *R. v. Big Canoe*<sup>17</sup>, “Nothing in FIPPA affects the Stinchcombe obligations of the Crown to make timely disclosure of all relevant material in its possession to the accused person prior to the trial. The decision as to that disclosure lies with the Crown counsel.”

Neither FIPPA nor MFIPPA compel disclosure of records relating to an ongoing prosecution. Among other things, this exclusion exists to maintain the integrity of the criminal justice system, to protect the rights of the affected parties to a fair trial, to protect the integrity of legal privileges, and to control the distribution of documents relating to ongoing prosecutions.



Given that the purpose of disclosure is to allow a defendant the opportunity to make full answer and defence, disclosure should be provided at the earliest reasonable opportunity, and staff (such as by-law enforcement officers) should be provided guidance on what should be included and how it should be organized so disclosure is received by the prosecutor early in the proceeding. It is not uncommon in more complex cases (or where self-represented litigants are involved) for there to be requests for further disclosure. Sometimes these requests can be very broad indeed, as illustrated in the next section of the paper.

### **3. Limitations on Disclosure Obligations**

Although the above discussion emphasizes the very broad duty of municipalities to disclose all relevant information within their possession and control in accordance with Stinchcombe, the duty to disclose is not absolute. This section of the paper gives an overview of when the prosecution may properly refuse to disclose and explores some caselaw that may be relevant to overbroad requests.

Generally speaking, the prosecutor is not obliged to disclose information that is irrelevant, protected by privilege or that is recognized at common law or by statute as an exception to the duty to disclose. It should be noted that privilege includes not only solicitor-client or work product privilege with which most municipal lawyers are familiar, but can also extend to the identity of confidential informants where information has been provided in response to an explicit or implicit offer of confidentiality. In such cases, the prosecutor must not disclose the information without a court order. Discussing all these exceptions is too broad a topic for this paper, but it may be helpful to review the analysis one should apply when a defendant makes what may be an overbroad request for further disclosure.

Stinchcombe is clear that anything that is relevant in a criminal investigation should be disclosed, unless it is subject to privilege or another evidentiary rule that supports non-disclosure of same. However, at paragraph 12 of Stinchcombe, the Court references the ‘fruits of the investigation’ evidence that has been collected as part of the case that is either inculpatory or exculpatory. This characterization of the subject matter of disclosure was further explored in *R. v. Darwish*, which reviews the Crown’s duty to investigate and the accused’s right (or lack thereof) to direct the way in which an investigation is performed. Among other things, *Darwish* recognizes that an accused does not have a constitutional right to direct the conduct of an investigation of which they are the target. Furthermore, it specifically holds that “[t]he accused is entitled to the product of that investigation, but is not entitled to dictate the nature or scope of that investigation.”

The *Darwish* approach arguably also applies to requests to create evidence. In a recent case where the defence asked how many prosecutions over the previous ten years there had been under a particular by-law, there were no staff that had been employed in by-law enforcement at the client municipality for more than four years. The response therefore was to produce the requested numbers from the existing records that current staff could supply, but no further investigation into previous prosecutions was undertaken. As another example, a request by the defendant for an aerial

# BARRISTON

## LAW

photograph illustrating the site map that the municipality had provided with disclosure can be refused. The law in this area is, however, very fact specific and all disclosure requests should be given careful consideration. If a further disclosure request cannot be reasonably complied with, the basis for the refusal should be provided in writing with supporting analysis.

### **Conclusion**

All municipal prosecutors, and the municipalities that employ or retain them, must be aware that prosecutors are obliged to independently exercise their professional discretion. A prosecutor can seek input from a municipal client but a municipality cannot instruct its prosecutor on how to exercise his, her or their discretion. The client's policy considerations can inform the exercise of the prosecutor's discretion (for example in determining a fine that will be sought upon conviction or a plea bargaining position), but ultimately the duty of a municipal prosecutor is to the public and the administration of justice, not to the municipality.

Similarly, the duty of municipal prosecutors to provide full disclosure is not constrained by freedom of information legislation. The ability of defendants to make full answer and defence cannot be limited by the considerations that otherwise would apply to the release by a municipality of confidential information such as the names of complainants.

That being said, although the constitutional right to disclosure, as clearly articulated in *Stinchcombe* and the cases that have followed it, includes the fruits of an investigation, in accordance with *Darwish* and the cases following it, *Stinchcombe* does not, with limited exceptions, require a municipality to undertake further investigations or create documents to satisfy overbroad disclosure requests.

**E. Jean Polak, Counsel**

**Ugo Osakwe, Articling Student**

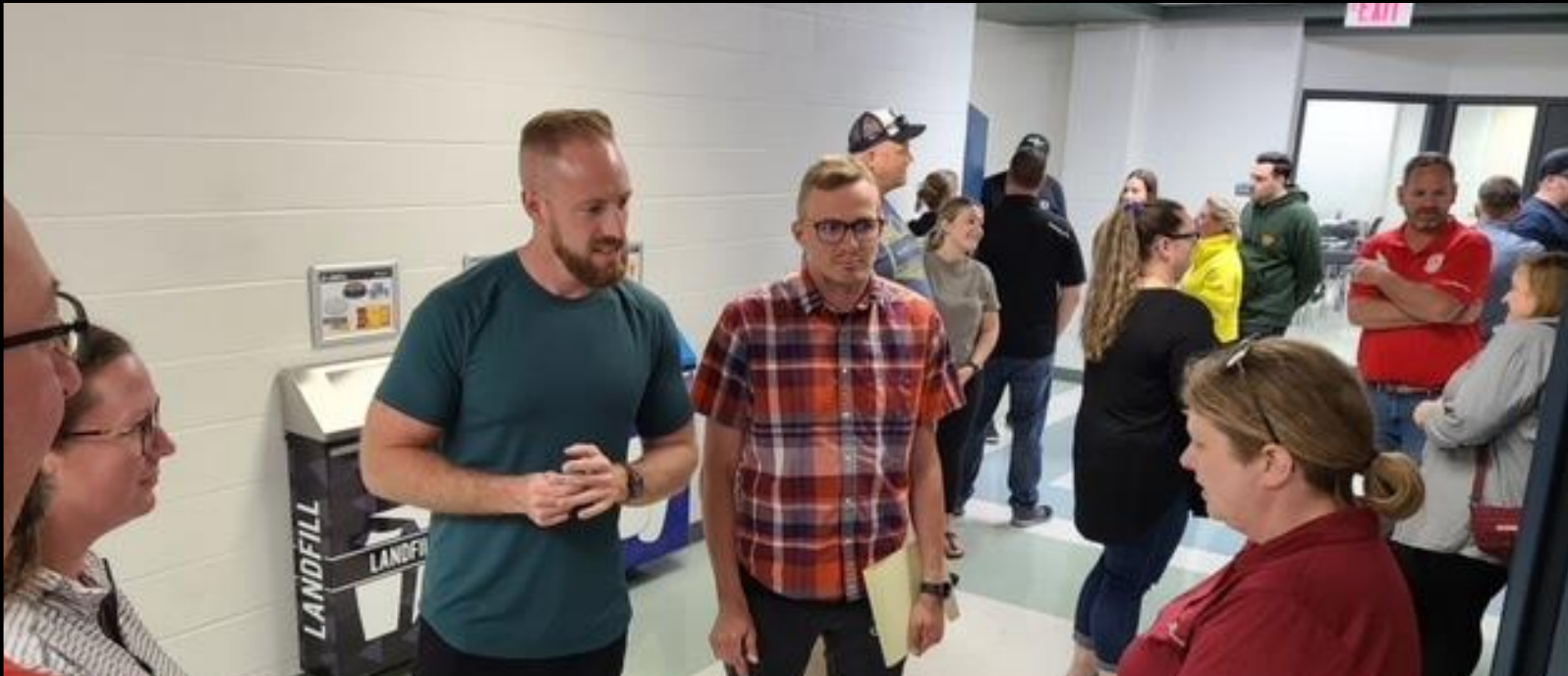
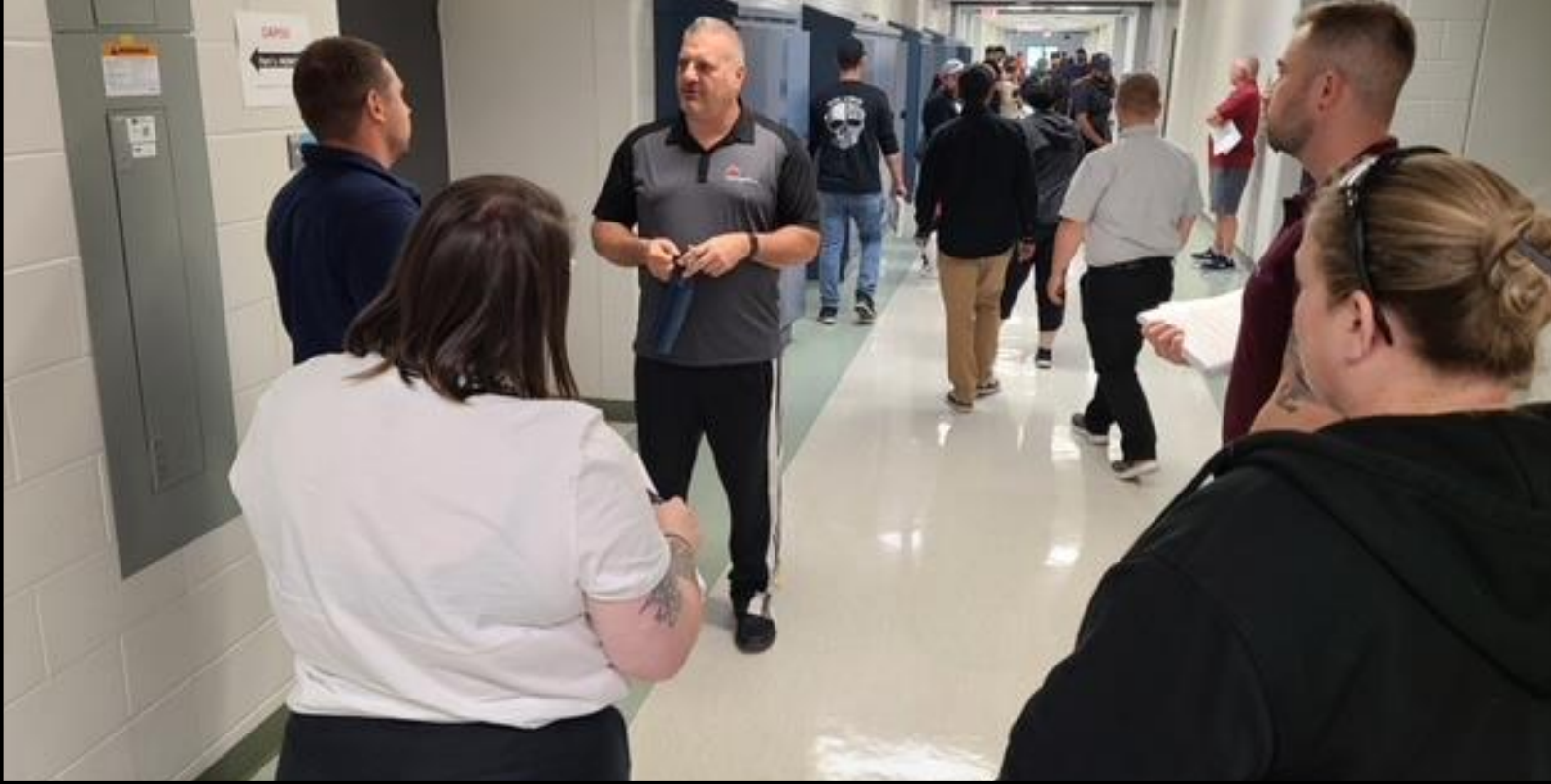
**both of Barriston Law1**

# 2023 Annual Training Session

## Fanshawe College, London, Ontario







# Monday Night Social at "The Factory"











# President's Dinner







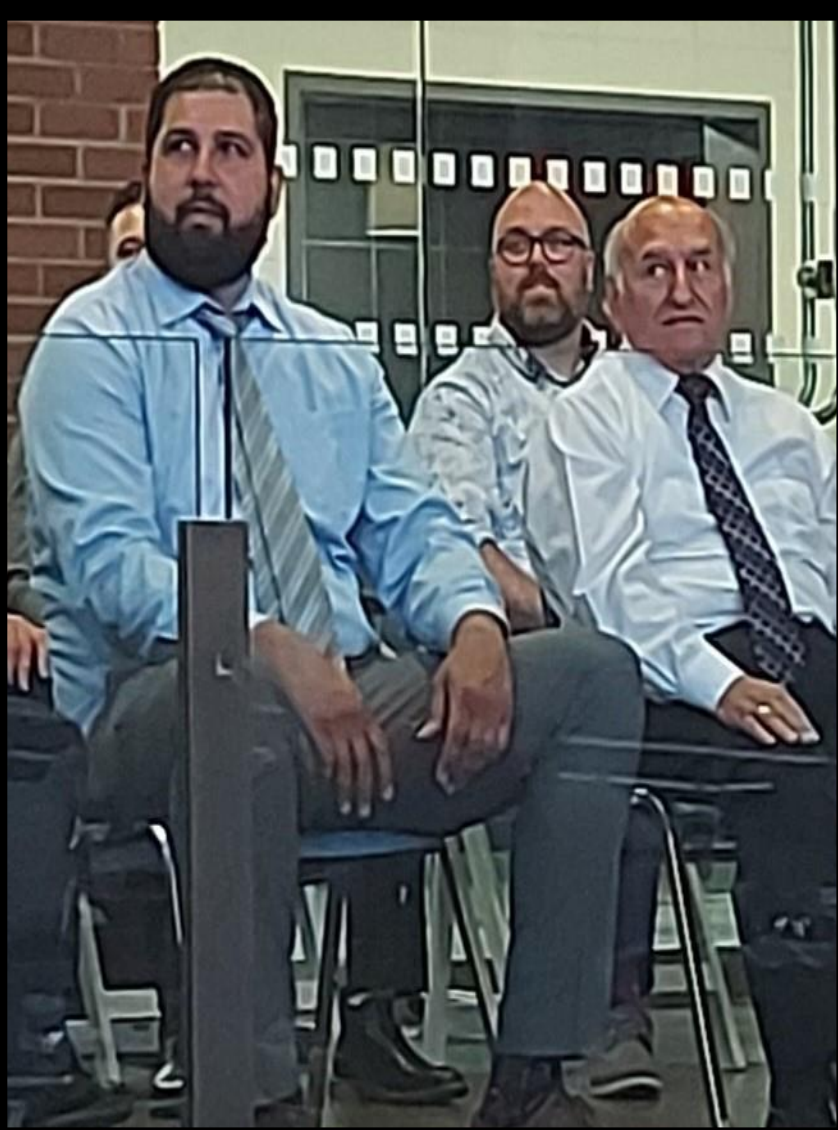














# BE A GOOD NEIGHBOUR CAMPAIGN

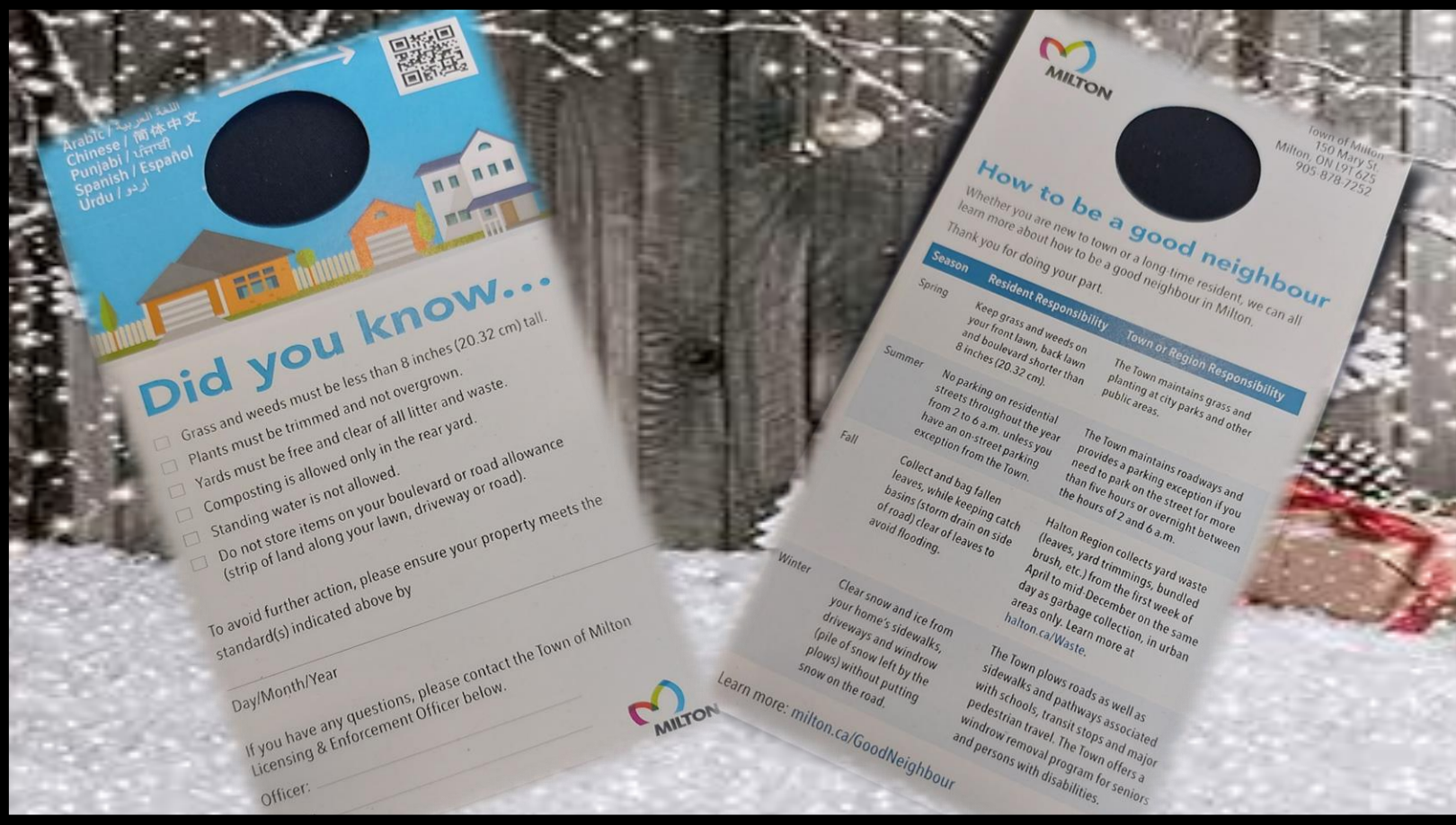
## Be a Good Neighbour campaign increases compliance of Property and Community Standards Concerns in Milton.

In early 2023, the Town of Milton launched a by-law education campaign called Be a Good Neighbor which focused on educating Milton residents about Town by-laws generating common complaints, including property standards, noise, litter, parking, etc.

- The campaign uses encouraging and non-punitive messaging on a variety of platforms to help residents better understand Town by-laws.
- In case of a potential infraction, by-law staff will begin to employ a door-hanger as a first means of contact with the community. The door knocker approach provided a friendly “did you know” approach instead of issuing Orders and offered 2 day for voluntary compliance
- To increase understanding in diverse communities, the door-hanger has been translated and is available online. (Translations are linked to from a QR code on the printed door-hanger.)
- This campaign adapts the three-step model used in the Fire Master Plan, which focuses on public education, enforcement, and response. Be a Good Neighbour will:
  - Educate residents about common by-laws affecting property, noise, etc.
  - Address noncompliant residents with a warning about their possible infraction.
  - Enforce when required.

Mark Jackson, Supervisor of Licensing & Enforcement with the Town of Milton alongside MLEO James Bramley worked diligently to develop the door knocker compliance program. Throughout the first phase of the campaign (June 1 - Aug 31, 2023) Milton’s MLEU received 811 community standards requests for service, which is a 91% increase in requests from the previous year. Results were monitored through the number of by-law requests, and the rate of compliance after the door knocker was issued.

The Door Knocker Success Rate resulted in compliance being achieved within the 2 day voluntary compliance period an impressive **81%** of the time.



# MEMBER SPOTLIGHT

## Hailey Athena

### What's the most exciting part about your job?

The most exciting part of my job is the fact that no day is the same. Everyday brings its own set of calls for service where I get to meet different people and solve different problems. I love the dynamic that comes along with being a Property Standards Officer.

### What is your favourite season and why?

My favourite season is the summertime because I get to spend time relaxing at the cottage with my family.

### Where did you grow up?

Barrie, Ontario

### What is your favourite colour?

Pink

### What's your favourite song?

Springsteen by Eric Church



### Who has been your biggest mentor and how did they impact your life?

My biggest mentor has been my father. My father has been a Police Officer for over 30 years and I always admired his work ethic, compassion, and willingness to help others. He has tremendously inspired me to enter a career in law enforcement to help others.

# MEMBER SPOTLIGHT

## Hailey Athena



### Where have you worked as a PS Officer and when did you become a PS Officer?

I started working with the Town of Innisfil in 2018 as a co-op Student as a Municipal Law Enforcement Officer. I loved the work environment and team of officers so much and couldn't picture being anywhere else, so I applied for the full-time position when it opened. I am so grateful to have gotten the position and to be part of such an amazing team.

### What is your favourite thing to do when you are not at work?

My favourite thing to do outside of work is venturing to quaint coffee shops, taking my dog for walks in the forests and working out at F45.

### What are you most proud of in the job or in life, or both?

I'm most proud of my ability to show compassion and empathy for others. My compassionate and empathetic nature has helped me greatly when dealing with difficult situations as people often understand I am there to help and willing to see things through their point of view as well.

### Do you have any pets?

I have a goldendoodle named Mila.

### What is your favourite TV show currently?

My favourite TV show is Game of Thrones. It's my favourite because it has an excellent storyline and you will never find something like it anywhere else.

### What are you most thankful for?

I am most thankful for my loving family and friends.



## CONGRATULATIONS 2023 CPSO's

### Congratulations to the following for obtaining your certification in 2023

- Adam White
- Allen Magee
- Cameron Karpenko
- Cameron Lattanville
- Chris Taylor
- Denise Deschryver
- Erin Montanaro
- Heather Pryce
- Jason Mai
- Jason Pryde
- Kristen Glass
- Kyle Smith
- Lance Blair
- Meagan Miotto
- Michelle Wright
- Mike Niederer
- Nick Newman
- Raj Vemulapalli
- Robert Davis
- Ryan Hickey
- Veronique Brunet

On June 25, 1992, the Provincial Government, during the 2nd Session of the Legislature, passed Bill Pr22, An Act respecting the Ontario Association of Property Standard Officers, legislation that allows certification of those members who meet the following conditions:

1. two years experience in the field as a Property Standards Officer, and successful completion of the multi-stage training course,  
  
or
2. two years of experience in the field as a Property Standards Officer, and successful completion of a challenge exam set and monitored by the Association.

Members who qualify and are approved for certification are permitted use of the designation C.P.S.O. "Certified Property Standards Officer".



# GET TO KNOW SOME OF OUR INSTRUCTORS



## **Garry J. Anderson – Part 1 Legal Instructor**

Retired in 2021 after 17 years with the City of Brantford as their first Manager of Property Standards and By-laws. Prior to that I started my municipal career back in 1985 as the City of Woodstock's first By-law Enforcement Officer/Municipal Prosecutor (back when you could do both). I was first elected to the Board of Directors of OAPSO in 1997 and served as President from 2008 to 2011 before retiring from the Board in 2017. I was honoured to receive the OAPSO Life Membership designation in 2022. I have been instructing Part 1 Legal of the OAPSO Certification training regime since 2001 and co-created the OAPSO Property Standards Appeal Committee training program. Professional credentials include Certified Property Standards Officer (CPSO) from OAPSO, Masters Certificate in Municipal Leadership from York University and Certified Municipal Manager (CMMIII) Property Standards Professional designation from the Ontario Municipal Management Institute (OMMI) in 2009.

Hobbies include golf, hiking, writing, travelling and being the best Grampy ever. Also, supporting OAPSO in any way possible.

## **Bob Nuttall – Part 1 Construction Instructor**

My name is Bob Nuttall, Manager of Building Inspections with the City of Hamilton. I began my career in the Municipal workforce in 2005 as a dual role, Building Inspector/Property Standards Officer for the City of Brantford. I earned my OAPSO, CPSO certification in 2007 that time, I have been a member and supporter of OAPSO, and developed a keen appreciation of the role that Property Standards enforcement plays across the Province. Being mentored by life-time OAPSO members, namely Garry Anderson, and John Lane, they have instilled in me a commitment to give back through knowledge sharing, and networking.

I joined the OAPSO Education team in 2020 and have been teaching the Part 1 Construction class since 2021. I have had the opportunity to share my building construction knowledge and experiences through several dedicated training sessions, and annual training sessions. In turn, while instructing the Part 1 construction class, I have been able to learn of many alternative construction techniques and shared experiences from around the province. It is always interesting to learn about how municipalities are structured, and how their Building and Bylaw teams collaborate and engage.

A little bit about me; While I love my leadership role in supporting the development of my home community, in the City of Hamilton, I still love to get my hands dirty in my own home renovation and construction projects, building furniture for friends and family, and of course my daughters tree house. I am passionate about the outdoors, love to camp, and paddle my rehabilitated canoe as much as possible.

Look forward to seeing you all at the next conference or dedicated seminar!



## **Warwick Perrin – Part 1 Investigations Instructor**

Good morning, my name is Warwick Perrin, I started my career in by-law and property standards enforcement in October of 1990 with the form City of North York. In 1998 the Provincial Conservative government of Mike Harris amalgamated the regional and municipal governments that formed Metropolitan Toronto, into the new City of Toronto. At that time, I changed from being a By-law Investigator to being a Municipal Standards Officer, and life changed dramatically.

While working for North York I was part of a team of officers that concentrated on muti residential properties, manly apartment buildings. I was a part of the Building Audit program for North York and the Building Audit team for Toronto. Subsequently a lot of my experience is connected to high-rise apartment buildings, including may in suite and common area situations. I became very proficient in the practice of ordering and evaluating structural engineering reports on poured concrete construction concerning mainly underground garages and building balconies.

It was during my early years with North York, that I first become involved with OAPSO being introduced by Joe Perrone, my Director of Investigations. Through Joe I started to teach investigation and eventually in 1997 became elected to the Board of Directors. In 1998 the Provincial Government recognized OAPSO as the leader in Property Standards training and through Private Members Bill P22 provided the association the authority to grant the Certified Property Standards Officer (C.P.S.O.) designation, provided that a full and complete education program was put into place. With several colleagues namely, Len Creamer, Garry Anderson, John Lane and Shayne Turner I contributed to the creation of the certification training program which is currently offered by the association.

I hope as part of a new generation of Property Standards Officers, that you fully complete the program, and benefit not only from the academic and practical components, but also during your stay at the conference and Annual Training Session you increase your personal network of contacts for friendship, and resource purposes.

Work hard and enjoy.



## **A.D Thomas – Part 1 Investigations Instructor**

I have spent 32 years with the City of Toronto (recently retired 2024) as a Supervisor who also spent years as a By-law Officer however my career with the City began in Corporate Security in 1992. I eventually transitioned over to be a Licensing Enforcement Officer and then over to a Property Standards Officer.

The enforcement areas in which I have been involved with from 2000 to 2024, were with Mobile Licensing Enforcement & Stationary Businesses Licensing, Property Standards, Zoning, Noise, Apartment Standards, Rooming Houses and Short-Term Rental, Debris, Fences, Long Grass & Weeds, Vital Services and many other related By-laws.

Through my experience and the thousands of inspections/investigations and Court related matters; I am able to bring my knowledge-base and experiences to assist in delivery of Part 1 Investigations.

I was with the Ontario Provincial Police as an Auxiliary Constable for 7 years and was a Defensive Tactics Instructor aiding in the Training of Auxiliary Constables. My experience teaching By-Law Officers, goes back many years including assisting our Internal Divisional Training Unit by creating training modules and delivering existing training materials to new officers and refresh training for existing officers.

I look forward to meeting you all at some point and want you to know that my success is based on your success.



## **Italo Joe Luzi – Part 2 Legal Instructor**

After a 40+ year career in municipal bylaw enforcement, I officially retired in April of 2023. I instructed/facilitated various enforcement disciplines and courses for 20 + years while working at the City of Toronto, City of Vaughan and at OAPSO. Courses facilitated included Officer Safety, Officer Awareness, Crisis Prevention as well as several bylaw/discipline specific training modules including courses for Second Suites, Short Term Rentals, Apartment Building Audits, Rooming Houses, Property Standards 101, Underground Parking Inspections, Fences, Noise, Vacant Lands, etc.

I retain certification as a Crisis Prevention Instructor for the Crisis Prevention Institute and delivered several non-violent intervention courses designed for the bylaw enforcement spectrum and typical scenarios. I was the former Chair of Education for OPASO during the early 2010's responsible for overall curriculum, delivering both Legal and Construction Courses, development of course manuals, oversight of testing and certification approval(s). I remain a Legal Instructor and assist with ongoing maintenance of the course curriculums.

## **Shauna O’Kane – Part 2 Investigations**

### **Instructor**

My name is Shauna O’Kane, instructor for Part 2 Investigations. I have been a Property Standards Officer and Municipal Law Enforcement Officer since 2001. I started my career with the City of Toronto in the North York Office where I was trained and worked for over 10 years. In 2011, I moved to work with the City of Burlington where I continued my career for another 11 years. Since 2022, I have been working in the By-law Enforcement Department with the City of St. Catharine’s. The movement in my career has primarily been due to meeting a farmer from Niagara Region. For over 10 years now we have been married and live on a pure-bred sheep farm, raising two breeds with our young son while my husband also runs a full time Dairy Farm with his family. My spare time is filled pretty well by my son’s activities and farm life, including showing our sheep as a family at Fall Fairs throughout Southern Ontario.



## **Philip Cassata – Part 3 Investigation Instructor**

I have been working in the municipal legal and enforcement field for the past 25 years. I am the Manager of Prosecutions and Facility Operations for the City of Guelph. I have been an instructor for OAPSO for 10 years. I instruct the Investigations and Accessory Unit component of Part 3. I am a member of the Law Society of Ontario as a Licenced Paralegal and have been prosecuting for the past 18 years. I have diplomas, in Law Enforcement and in Paralegal Studies from Seneca College as well as a degree with Honours in Justice Studies from the University of Guelph-Humber. I have certificates from the Ontario Management Development Program at Humber College, Municipal Law Program from Humber College and AMCTO Administration Program. I have my CMM III Executive Property Standards with the Ontario Municipal Manager Institute, and I recently completed a certificate program in Adult Education through the Canadian College of Educators. My hobbies include golfing, camping, hunting and automotive restoration.



**Shelly Kunkel – Part 3 Construction Instructor**

I started with Brandford's Building Department 34 years ago. My current role is a Municipal Building Official MBO5 (Senior Plan Examiner Reviewing Apartments, Commercial, Industrial and Institutional Buildings). I was a Board Member of the Ontario Association of Property Standards Officers for ??? years and have continued to be an OAPSO instructor since 2014. I am the current Chapter Chair for the Grand Erie Chapter of the Ontario Building Officials Association (OBOA). OAPSO and OBOA have had a great partnership over the years, and I strive to continue to volunteer for both Associations for many more years.

Training and certification is very important to promote our professionalism in our job especially when we are sitting on the stand in court. I became a Certified Building Code Official in 1999 and a Certified Property Standards Officer in 2000. I miss the in the field adventure and people from inspecting as a Property Standards Officer for over 22 years.

Even though most municipalities have separate Building and Property departments, both departments need to work together. A building inspector inspects construction to ensure the building is safe, but Property Standards Officers have the important job to ensuring our community are properly maintained and buildings are safe for generations to come.

In my free time, I seek out music concerts at fairs and festivals around the region. My quiet time includes hikes throughout the Grand River trail system, and I love brining along my family and two Yorkshire Terriers as often as possible.



**Nicole Papke – Part 1 Legal Instructor**  
**Ken Andrus – Part 2 Construction Instructor**  
**Shayne Turner – Part 3 Legal Instructor**

# GET TO KNOW OUR BOARD OF DIRECTORS



### **Allison Henshall – President**

After completing Police Foundations, a setback kept me out of Policing, but I've made my peace with that and began my bylaw career in 2004 working for the City of Woodstock as a Parking Enforcement Officer. I then moved to the City of Waterloo in 2006, where I served as a Compliance and Standards Officer and moved into the role of a Property Standards Officer in 2014. I ran for the Board of Directors for OAPSO in 2019 as I felt I wanted to give something back by contributing my time and knowledge to new and potential officers. I have expanded my network and am creating lasting connections and ties that be with me throughout my career and beyond.

In my spare time, you will usually find me hanging out with my daughter Erin and our kitten Jax. Erin's turned me into both a dance and soccer mom against my will, but I'm loving it. Thankfully she shares my passion for being on and around the water. Kayaking is my favourite. The peace and calm of being out in nature balances the crazy of everything else and is a passion I share with my whole family. We always find adventures to take and new places to visit.



### **Alexander Wray – Vice President**

Hello OAPSO Members,

Proud to be your Vice President, I'm the Manager of Bylaw Services at the Town of Aurora. With roots starting in 2013 at the Town of Ajax, I've also supervised in Municipal Licensing & Standards at the City of Toronto, focusing on Apartment Building Standards and Toronto Community Housing.

Beyond my professional roles, I'm a licensed Realtor. My wife and I, who also works in the Municipal Bylaw Enforcement community, love exploring new restaurants. In our home, our Lab Cross puppy, Henry, adds joy—we rescued him after he was abandoned in Aurora.

Looking forward to the year ahead and celebrating the associations 50<sup>th</sup> Anniversary!



## **Italo Joe Luzi – Immediate Past President**

Greetings,

My name is Italo Joe Luzi. I am the Immediate Past President of OAPSO. I retired in April of 2023 after a 40+ year full-time career in municipal bylaw enforcement in which I only worked for the City of Toronto and the City of Vaughan. In addition, I worked for the Ministry of Municipal Affairs and Housing Maintenance and Standards Unit, part-time from 1989 to 2019, conducting residential property maintenance inspections of properties in municipalities who formerly had no property standards bylaws to enforce making the Ministry the authority having jurisdiction. These work commitments provided a wealth of bylaw experiences in both urban and rural settings and the opportunities to make a real difference in various communities on a myriad of issues like landlord/tenant relationships, housing, public safety, consumer protection, maintaining integrity of community neighborhoods, etc.

In 2011, I officially joined OAPSO as a Board of Director and Legal Instructor and remain so to the present day. My volunteer commitment to OAPSO has provided the unique and very satisfying opportunity to give back to the municipal bylaw enforcement industry as well as shape, train and certify the next generations of Municipal Bylaw Enforcement Officers. I have also served OAPSO as Director of Education and two terms as President from 2015-2018 and in 2021.

Since retirement, my focus has shifted from the daily grind of municipal bylaw enforcement to spending time with family and helping to raise two new grandchildren Daniella and Leonardo.

## **Laura Stewart – Administrative Secretary**

My name is Laura and I've been a Municipal Enforcement Clerk for the City of Waterloo since 2018. I serve in a leadership role for the administrative staff, have a love for organization and systems, and an innate desire to learn and help/support others.

In my spare time, I enjoy travelling with my husband, playing outside (scratch that – doing absolutely anything and everything!) with our dog, Dex, or reading a book and hanging with our friends and family.

I happily accepted the role as Administrative Support for the OAPSO Board of Directors mid-2023 and look forward to contributing my heart and skills to the directors and association as a whole.



## **Jennifer Therkelsen – Director of ATS**

My name is Jennifer Therkelsen, AKA Jenn. I have dedicated my career to the field of By-law Enforcement and next year I will have been in the field for 20 years. In the City of Ottawa, I have held the following positions, summer student, parking control officer, dispatcher, by-law administration assistant, By-law Enforcement Officer, Property Standards Officer, Enforcement Supervisor, Enforcement Coordinator, my current role is the Program Manager of Enforcement Services whereas the Property Standards and Zoning Officers fall within my team, my team is quite large with 85 employees over the summer that balloons to 105 employees. You can say I have done a few positions in Ottawa. However, each one came with a new set of learning, experience and opportunity.



On a personal side I live just outside of Ottawa with my partner and my almost 4-year-old son, enjoy spending time with my friends and family. When I do get some me time, I enjoy playing video games, and reading. I was voted onto the board at the 2017 AGM, I have enjoyed my time on the board and each portfolio I have had the opportunity to have. This is an exciting time for the board and its membership to continue to see the association evolve in new ways while appreciating the history of this great association. I am very appreciative of the opportunity to continue to serve on the board of directors, especially with the 50<sup>th</sup> anniversary year next year.

## **Trevor De Cristofaro – Director of Business Development**

This is my third term on the OAPSO Board of Directors, as Director of Business Development. A few of the key successes I have had have been producing OAPSO's first promotional video, setting up the scholarship program, and providing membership with a wide range of new swag annually. Being a part of the board has allowed me to step outside my comfort zone and explore new ideas for the future of the organization.

I have been working at the City of Pickering for 17 years, starting off setting up the Animal Services Unit, then moving into Property Standards. I have recently moved to the building department accepting a new position and becoming the first Inspector II Investigator for the city. This new position has brought new challenges and a lot of education, recently successfully completing my CBO Legal exam with the Ministry.

Outside of the City, I have been training people and dogs for over 25 years and have had my own businesses through the years. In the animal field, I spend time volunteering for DRCISST (Durham Region Critical Incident Stress Support Team), helping them set up their Pet Therapy program for first responders, as well as CAMH (Centre for Addiction and Mental Health) Pet Therapy program, and Mount Pleasant Group of Cemeteries.

I am looking forward to working with the new Board of Directors coming into OAPSO's 50<sup>th</sup> year.





**Mary Beth Mitchell – Director of Education**

Hello OAPSO Membership,

I was elected onto the Board in 2021, as the Director of Professional Development, where I had the opportunity to coordinate part 4 training for two years in a row. I really enjoyed working with members that are certified and am looking forward to new challenges in my new role as Director of Education.

In my current role as Manager, Licensing and Enforcement with the Town of Milton, I oversee a team of dedicated professionals responsible for response and enforcement of the Town's parking, by-law, licensing and animal services by-laws. I have been working with the Town of Milton for 10 years and wouldn't want to be anywhere else. I am passionate about the work that my team and I do and the positive impacts we have throughout Milton.

I am ambitious and determined. I always have something to work towards and love a good challenge. I have never been one to accept mediocrity and will jump at any chance to improve myself professionally or personally. When I am not enforcing by-laws, drafting council reports and addressing residents' concerns I am spending time with my daughter or training for a running event 😊



**Stephen Jamieson – Director of Certification**

I have been a property standards inspector for The City Of Guelph since 2007 and on the board of directors for OAPSO since 2017. I am also certified as a building inspector in house and legal since 2016.

I have a variety of hobbies which keep me very busy, including other Committees, boards of directors and volunteering in my spare time.

Currently, I am the certification Director for OAPSO, and have been enjoying reviewing and approving certifications for new CPSO's for the last few years and it gives me great pride to be able to present these to our newly qualified members.



### **Harinder Singh – Director of Membership**

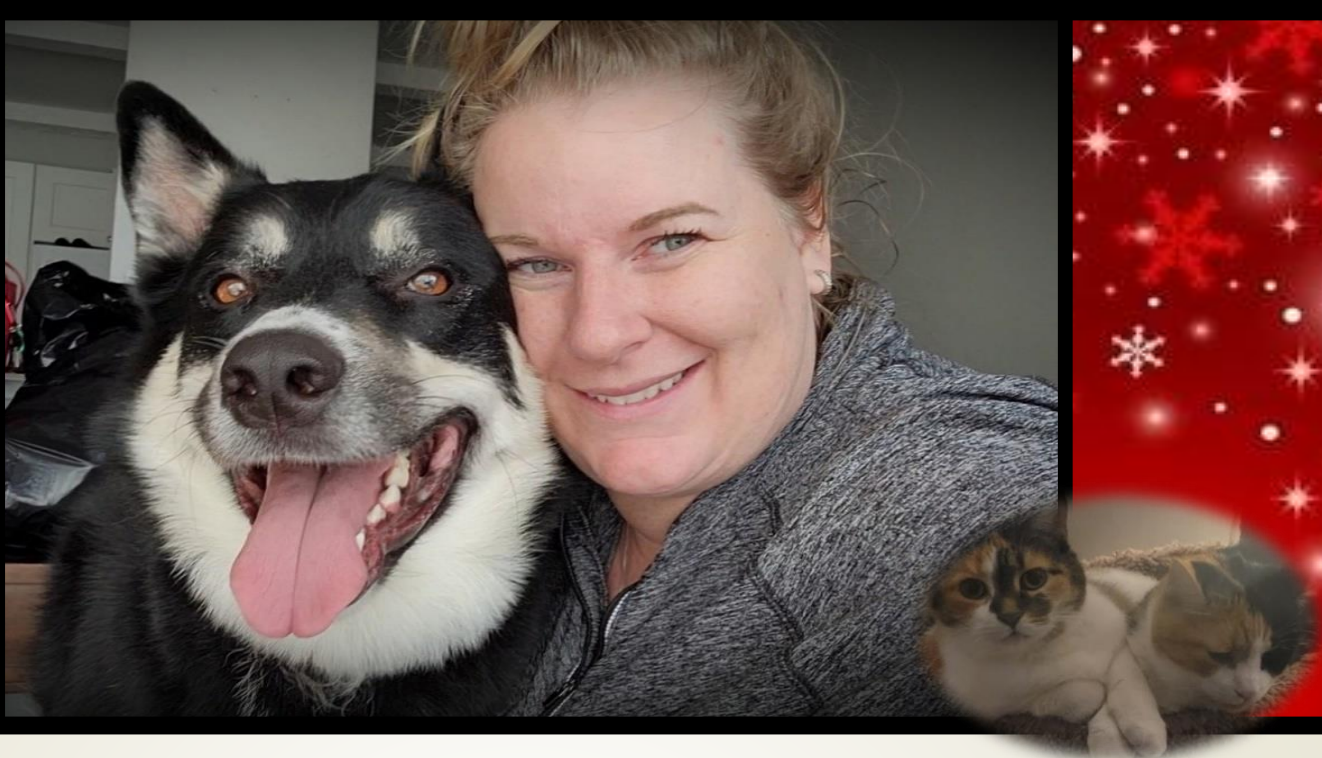
Currently employed as a Supervisor of Property Standards at the City of Vaughan, I have 15 plus years in the Municipal Law Enforcement Field. My experiences consist of interpreting and enforcing provincial and municipal legislation, applying principles and practices, implementing policy and standard operating procedures, investigating highly sensitive political cases, meeting with members of the public and Council members, attending council meetings as well as leading a Team of Compliance Officers and Supervisors in unionized environment. I pride myself to be an individual recognized for being responsible, collective, innovative, and motivated to go above and beyond.



### **Caitlin Deevey – Director of Communications & Social Media**

Hey team! Most of you know me as the girl with the ball cap. This will be my second term on the board and I'm happy to be a part of the 50<sup>th</sup> Anniversary planning, advocating for our members and working on developing a better more user-friendly webpage. I cover multiple townships with independent contracts while working full-time with the City of Vaughan. I don't often find myself with too much free time but when I do I am always attracted to the outdoors and animals, so naturally combining the two, I am often on a farm. Some of my favorite hobbies include Jeeping, camping, kayaking, hunting, mountain biking and movie critiquing Though I may be young I have put my time into this field and have over 13years of enforcement experience ranging from youth criminology, bylaw enforcement, and highway traffic act.

I am happy to share any of my experience to help and assist anyone. I believe in helping others, working hard, and living your best life at every moment. I am always here for members to reach out to and assist where I can in helping to promote a safer place to live.



**Michelle Wright – Director of Resolutions/bylaws, Legislation & Newsletter**

My name is Michelle Wright and I have 19 years' experience in an enforcement capacity in multiple positions. As soon as I turned 18, I became a security guard where I started out as a static guard, promoted to supervisor, and for the last 13 years have been an armed guard. I spent 6 seasons working for Ontario Parks where I worked in several roles from a Senior Park Warden, Park Management Advisor where I was responsible for procurement among many other things for all 300 + Provincial Parks across Ontario. I ended my last season in 2016 as an Operations Technician where I supervised the enforcement and maintenance team.

I am currently in my 8<sup>th</sup> year as a Property Standards Officer for the City of Belleville and Thurlow area. I love anything to do with the water such as swimming, boating, sitting on a dock, etc. During covid I joined an axe throwing league where I played people all over the world through video stream and now find throwing axes to be a stress relief after stressful workdays that we face in our line of work. I have a dog named Gunner and a cat named Abby (Jazz is with us in spirit) and they are my world. If I am not working, you will find me at home with my animals, working on the OAPSO newsletter or at my family's restaurant helping out in the kitchen. I was elected to the board in 2022 and like the rest of the Board of Directors, I am very much looking forward to OAPSO's 50<sup>th</sup> anniversary.



**Derek Petch – General Secretary/Treasurer**

I was elected to the Board in 2015 and served as the Regional Chapter Director until 2017 when I took on the role of General Secretary and Treasurer. In 2018 I retired from the City of Ottawa and also worked for the City of Gloucester prior to our region amalgamating. In total I spent 37 years in municipal government with 28 of those years in Bylaw and Property Standards. In my spare time I like to be outdoors either hunting, golfing or other sports.



### **Elisabeth Leal – Director of Professional Development**

My name is Elisabeth Leal and I am a Supervisor of Municipal By-Law Compliance with the City of Cambridge. I have been with the City of Cambridge for 11 years and previously held the Senior Property Standards Officer position. I have obtained my C.P.S.O. Certification through OAPSO. Before taking a position closer to home, I also held Enforcement positions with the City of Toronto in numerous enforcement roles from Parks Enforcement Officer to Business Licensing Enforcement Officer. I earned a Municipal Law Enforcement Certificate from Humber College and have completed the Fire Inspector Level 1 Certificate from the Office of the Fire Marshal of Ontario.

### **Michael Foster – Co-Director of ATS**

My Name is Michael Foster and I am currently working with the Town of Milton as a Municipal Enforcement Officer. I graduated from Mohawk College in 2016 and spent a few years backpacking in Europe and Morocco before coming back to Canada and working security. In 2019, the company I worked for got the contract to do overnight parking enforcement in Milton, and I have been working with the town ever since. During my time with the town I have gained experience working as parking enforcement, animal services, and now municipal enforcement.

While working for Milton I have gotten the opportunity to do numerous training courses in various fields. One of those courses was OAPSO, and it was by far my favorite course. I found OAPSO to be one of the best suppliers of information, and use what I have learned on a daily basis while working. I loved the course so much that I decided to run for the board so I could give back to the organization for all the valuable information they have provided me. In June 2023, I got elected onto the board and I have been serving as the co-director of the ATS ever since. It is my hope that I can make the next training seminar even better for members.

While not working, I enjoy spending time outdoors. I try to go up to the cottage for fishing trips each year, and just spent a week in late fall pulling Pike out of a lake up north. Every year I also go to Algonquin park with a group of friends and portage several lakes in. It is one of my favorite trips each year, even if it does usually involve us swimming back to shore with an upside down canoe or getting lost in leech infested rivers for 7 hours. All the headache and sore muscles are worth it to see the stars with no city lights blocking them out.

