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**Official Report  
of Debates  
(Hansard)**

**Wednesday 8 June 2005**

**Journal  
des débats  
(Hansard)**

**Mercredi 8 juin 2005**

**Standing committee on  
government agencies**

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues

Chair: Tim Hudak  
Clerk: Susan Sourial

Président : Tim Hudak  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Wednesday 8 June 2005

Mercredi 8 juin 2005

*The committee met at 1033 in room 151.*

## SUBCOMMITTEE REPORT

**The Chair (Mr. Time Hudak):** Good morning, folks. I call the standing committee on government agencies to order. Welcome back. We do have intended appointees that we will get to shortly. I think at least one of them is in the room—both. Hello; nice to see you.

We do have some routine business to get through first. Our first order of business is a report of the subcommittee on committee business dated Thursday, May 5, 2005. Folks will remember that it was adopted by committee on May 11, 2005, but I understand there may be some motions to amend that subcommittee report this morning.

**Ms. Andrea Horwath (Hamilton East):** I move that the subcommittee report on committee business dated May 5, 2005, be amended by withdrawing the following intended appointees: Ruben Rosen, Mathilde Gravelle Bazinet, John Magill and also John Whitfield, who was jointly called by ourselves and the Conservative party.

**The Chair:** So it's a motion brought forward by Ms. Horwath. Is there any discussion?

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I have a motion, also.

**The Chair:** We'll do Ms. Horwath's motion first, and then we'll move to Ms. Scott's motion. Is there any discussion on Ms. Horwath's motion?

**Mr. Ernie Parsons (Prince Edward–Hastings):** I would second it if it needed a seconder. If it doesn't, I won't.

**The Chair:** We certainly appreciate the gesture, Mr. Parsons; very nice.

Does anybody need the motion repeated for the record? Seeing nobody, let's move then to the question.

All those in favour of the motion to amend? Any opposed? It is carried.

Congratulations. It's unanimous. You're on a roll. Is there anything else you want to try?

**Ms. Horwath:** No, that's it.

**The Chair:** Ms. Scott's motion is on the same subcommittee report. Do we need to amend the subcommittee report first?

*Interjection.*

**The Chair:** Very good. Procedurally, we'll go with Ms. Scott's motion. We'll see if that carries, and then we'll have to vote on the amended subcommittee report.

**Ms. Scott:** I move that the subcommittee report on committee business dated May 5, 2005, be amended by withdrawing the following intended appointees: Kuldip Kandola, George Todd, John Whitfield and Ian Wilson.

**The Chair:** Is there any discussion on the amendment to the subcommittee report? Seeing no discussion, all those in favour of the motion? Any opposed? It is carried.

**Mr. Parsons:** You can't say we don't support opposition motions.

**The Chair:** We're at 100% today, anyway. Joe Tascona wouldn't believe it if he were here today.

We have passed two amendments to the subcommittee report of May 5, 2005. Are there any other motions with respect to that subcommittee report?

We will then have to vote on the subcommittee report, as amended. Is there any discussion on the subcommittee report of May 5, as amended by these two motions? Seeing none, I'll call the question.

All those in favour? Any opposed? It is carried.

The subcommittee report of May 5 is now amended, which I think, Madam Clerk, clears up some of the backlog on committee business.

**The Clerk of the Committee (Ms. Susan Sourial):** Yes.

**The Chair:** Is there any other business to discuss before we get on with the intended appointees?

## INTENDED APPOINTMENTS

## MICHAEL WELSH

Review of intended appointment, selected by official opposition party and third party: Michael Welsh, intended appointee as member, Ontario Rental Housing Tribunal.

**The Chair:** We'll move on with our first intended appointee, Michael Welsh. Mr. Welsh is an intended appointee as member of the Ontario Rental Housing Tribunal.

Welcome to the standing committee on government agencies. Please make yourself comfortable with a glass of water, coffee or anything that you like. You're invited to make an opening statement on your interest in the position and your background.

We will begin with questions from the government. Any time Mr. Welsh takes up will be deducted from the government's time, by procedure of the committee. Mr. Welsh, the floor is yours.

**Mr. Michael Welsh:** Good morning, Mr. Chairman and members of the standing committee on government agencies. My name is Michael Welsh. Thank you for allowing me the opportunity to speak to you today on my intended part-time appointment to the Ontario Rental Housing Tribunal. I believe my work and public service background will serve me well for this position. I would like to take the next few minutes to highlight some of my experience and qualifications for this position.

Education-wise, I graduated from the University of Waterloo in 1980 in environmental studies. In 1983, I moved into a career in transportation and logistics planning. I started from the ground up, my first job being a shipping clerk on the night shift with Alltrans Express in Brampton, Ontario. My most recent position was with FedEx Logistics. I was manager for inbound transportation and logistics at the John Deere Welland facility from 1995 to 2004. The business grew from two people in 1995 to over 40 by 2003, and included a brand new 100,000-square-foot logistics warehouse for John Deere in 2001, which is located in Port Colborne, Ontario.

I have also maintained a record of public service over the years. Most of this service has been in my hometown of Niagara-on-the-Lake. In 1988, I was appointed by town council to the traffic and parking committee. The committee was tasked to come up with a report on solutions to the town's well-documented parking, car and bus problems. Our committee tabled a report in 1990, which outlined detailed solutions to these issues, many of which are still in use today. We held public hearings, listened to experts outline solutions and made recommendations based on all of the input gathered.

In 1991, I served on the town's bicentennial committee. In 1992, I was appointed to the town's fence arbitration committee. This committee adjudicated disputes between residential neighbours on property line and fence disputes. From 1994 to 1997, I was on the town's irrigation committee. In 1997, I was appointed to the town's committee of adjustment. In 2000, I was named vice-chairman of this committee. This was a five-person panel which ruled on land severances and minor variance applications brought forward by landowners in the town. The committee approved or disapproved applications based on the rules of the Municipal Planning Act, local zoning bylaws and input from agencies like the Niagara Escarpment Commission, the Niagara Parks Commission and town planning staff.

I very much enjoyed the challenge and responsibility of the work and the critical decisions that this committee made. This committee's work, in my opinion, is similar to that of the Ontario Rental Housing Tribunal.

Finally, the committee members should know I am a member of the Ontario Liberal Party. I served as a volunteer area coordinator for the party from 1993 to 2003 in the Niagara region. In the 2003 provincial election, I was asked by the party to be the co-campaign manager for the Liberal candidate in the riding of Erie-Lincoln.

In closing, I would consider it an honour and privilege to serve this province as a member of the Ontario Rental Housing Tribunal.

**The Chair:** In spite of the last comments, I'm not giving up on you. We'll still get you in Erie-Lincoln.

We'll begin any questions with the government side.

**Mr. Parsons:** Frankly, we're very impressed.

**The Chair:** You're impressed?

**Mr. Parsons:** Yes, so no questions.

**The Chair:** Are you speaking for all members of the committee? They're all nodding and smiling.

We'll move on to the official opposition. Ms. Scott?

**Ms. Scott:** Thank you again for appearing before us today.

You said you were involved in the Ontario Liberal Party. Are you currently a member of the Ontario Liberal Party?

**Mr. Welsh:** I'm currently a member for the riding of Niagara Falls.

**Ms. Scott:** You were a co-campaign manager for which Liberal member?

**Mr. Welsh:** He's not a Liberal member.

**Ms. Scott:** Of course not. It was just a slip of the tongue.

**Mr. Welsh:** He ran as a candidate in Erie-Lincoln against the Chair. It was the mayor of Port Colborne, Vance Badawey.

What I can tell you about that campaign is it was a great campaign, a clean campaign. I worked closely with Tim's father on setting up things like the all-candidates' meetings etc. They were long, hard days, but what I appreciated was a good, clean campaign. Erie-Lincoln has a very good member.

**Ms. Scott:** We think so also. Thank you very much.

**The Chair:** That's enough.

**Ms. Scott:** That's enough. Yes, we do have a good MPP in Erie-Lincoln.

How did you hear about this appointment?

**Mr. Welsh:** I went through the Web site in 2003, when I was finishing up my second round on the committee of adjustment. I was interested in a similar position, as I said in my opening statement. So I applied through the public appointments Web site.

**Ms. Scott:** You're only interested in the rental housing tribunal?

**Mr. Welsh:** No. I wanted to stay local. I also applied for the Niagara Parks Commission and the Niagara Escarpment Commission, but I never heard back.

**Ms. Scott:** Did you talk to anyone in the minister's office? Who did you speak to? Did you speak to the appointments office?

**Mr. Welsh:** I never spoke to anyone. I just went on the Web site and put my name forward.

**Ms. Scott:** So you never spoke to anyone?

**Mr. Welsh:** No.

**Ms. Scott:** It just came through and they let you know. How long ago did you apply?

**Mr. Welsh:** I applied in spring 2004.

**Ms. Scott:** So this is just a part-time appointment.

**Mr. Welsh:** Yes. First, in fall 2004, I went through the interview process for the full-time position. Then, this past February, they called me back again and asked me if

I was interested in a part-time position and to come in for an interview. The interview process was both verbal and written. So it was the second time, after the first time.

**Ms. Scott:** Would you still be interested in a full-time appointment if it became available? Is that your first preference?

**Mr. Welsh:** I would certainly look at that, yes.

**Ms. Scott:** Could you tell me how you feel the present Liberal government has treated tenants and landlords? Do you feel that even treatment has gone on?

**Mr. Welsh:** Really, I think the adjudicator position is reflective of the Tenant Protection Act. I think if I'm appointed as a part-time adjudicator, my role is to work with what the act says. As far as legislative changes, whether they're by the Liberal Party or by groups, it's really up to members of Parliament to make those decisions.

**Ms. Scott:** Currently the government is reviewing the residential tenancy legislation. Do you have any comments on some things you'd like to see changed within that?

**Mr. Welsh:** No, I don't.

**Ms. Scott:** Do you know a lot about the tenancy and landlord acts or the legislation? Did you prepare a bit before you came in today?

**Mr. Welsh:** When I went through the interview process, we were given backgrounds on the Tenant Protection Act, so I know general things about it. Certainly, if I'm appointed, there's an educational process which I hope to gain and get better at.

**Ms. Scott:** Have you ever been a tenant or a landlord?

**Mr. Welsh:** I've been a tenant.

**Ms. Scott:** Was that a good or a bad experience?

**Mr. Welsh:** It was in Mississauga when I started out with my transportation. It was a good experience. I have not been a landlord, though.

**Ms. Scott:** With your municipal background, did you hear a lot of discussion about problems arising between landlords and tenants within your area?

**Mr. Welsh:** No.

**Ms. Scott:** Nothing.

**Mr. Welsh:** If that's what you're asking, the committee of adjustment didn't deal with those types of issues.

**Ms. Scott:** But just from being in the municipality and in the community?

**Mr. Welsh:** No, I did not.

**Ms. Scott:** All right. Those are all the questions I have for this morning.

**The Chair:** Ms. Horwath?

**Ms. Horwath:** Good morning. I'm wondering if you can point out on your resumé the experience that you have in housing issues generally, and more specifically landlord and tenant issues.

**Mr. Welsh:** The issues aren't so much in those areas, but I put my name forward from my background with the committee of adjustment. I sat on the fence arbitration committee, so I did some of those arbitative things. Looking on the Web site, looking at these issues, I

thought, in some ways, they'd be similar. You're adjudicating, you're taking the Tenant Protection Act and making decisions on that, so that's where I come from. I believe also I went through the interview, the verbal and written review process, with the tribunal twice, back in the fall, for a full-time position. They called me back in the spring for the part-time position. So I believe they must have seen some background—

**Ms. Horwath:** Sure. But specifically, in terms of housing issues, how the Tenant Protection Act functions and what the historic issues have been in that area, because it's quite a contentious area, you really don't have a lot of knowledge or experience in that particular field.

**Mr. Welsh:** Not in that particular field, no.

**Ms. Horwath:** Generally, do you think it's fair to expect to be appointed to something when you really are just going to be learning on the job, particularly when some of these situations that you're going to have to deal with are persons and a roof over their head? It's a fairly serious position to be put in and to learn on the job. Do you think that's fair to the people who would be coming before you in the tribunal?

**Mr. Welsh:** Well, I think back to my experience with the committee of adjustment. There were similar things. People would come forward with issues. Zoning and violations were very important and critical to people, so it's similar in that function. It's similar in that people would come forward to the committee sometimes not understanding the issues, and you help them through on these things. So I think I have the background that the tribunal is looking for for the part-time position.

**Ms. Horwath:** So your interest comes more from the functionality of the adjudication process, as opposed to housing issues or tenant issues or landlord issues.

**Mr. Welsh:** Yes.

**Ms. Horwath:** You had said that you applied through the Web site, and that was the process you undertook. But did you have any encouragement or any recommendations coming from anybody? Was there anybody encouraging you to make that first hit on the Web site and make your application?

**Mr. Welsh:** Well, some family. When I was finishing up the committee of adjustment in 2003, I had spent two terms there, six years, and I had enjoyed it. So some family friends encouraged me to maybe look at public appointments in other areas.

**Ms. Horwath:** What would you say are the greatest needs that tenants have right now in Ontario?

**Mr. Welsh:** I can't really answer that question. That's a question I can't really answer.

**Ms. Horwath:** OK. Could you tell me if you have any inkling of what the needs of landlords would be in Ontario today?

**Mr. Welsh:** I believe the Tenant Protection Act, the adjudicators who adjudicate specific decisions—once again, for tenants and landlords, I don't know specifically what their issues are.

**Ms. Horwath:** Do you know what rent control is? Do you have an opinion of the rent control system that currently exists in Ontario?

**Mr. Welsh:** No, I don't.

**Ms. Horwath:** You don't know what rent control is or you don't have any opinion on it?

**Mr. Welsh:** I know what rent control is, but once again, the position I'm applying for is working with the Tenant Protection Act and adjudicating decisions that come up. I'm hoping to get further training for the position, which, in talking, they said that I would get.

**Ms. Horwath:** So you know what rent control is, but you don't have an opinion on it?

**Mr. Welsh:** No, I don't.

**Ms. Horwath:** Is that because you don't have enough information to develop an opinion? Is that what you were trying to say?

**Mr. Welsh:** I would think that's part of it.

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**Ms. Horwath:** That's fair. Do you understand the concept of "costs no longer borne"? Have you ever heard that phrase before?

**Mr. Welsh:** No, I have not.

**Ms. Horwath:** You have lots of learning to do.

You're now on the tribunal; you've got a case before you. The landlord has one position, the tenant has another, and there comes a time when you actually have to use your judgment, which always happened at committee of adjustment. I'm from the municipal sector as well, so I know how those committees work. So you have to lean toward one side or the other, because the facts don't really favour one side or the other in any clear-cut way. Would you say you would have a tendency to lean more toward the landlord's perspective or a tenant's perspective, based on your general feelings about tenant protection?

**Mr. Welsh:** Every situation is different and specific, but once again, I would look back to the Tenant Protection Act, what the act and what the law says, and would base my ruling on that act as it stands today. Every situation is different.

**Ms. Horwath:** There's no doubt about it.

Can you tell me anything about the housing-related issues in the community you come from? Are there any particular issues in the housing sector that are in the news or of concern to the people who are either tenants or landlords in the community?

**Mr. Welsh:** I have no comment on that.

**Ms. Horwath:** You're not aware of what's happening within the—

**Mr. Welsh:** I'm not aware of certain issues with housing in the Niagara area.

**Ms. Horwath:** Have you ever written to the Rental Housing Tribunal or prepared any briefs or helped anybody to get through that process?

**Mr. Welsh:** No, I have not.

**Ms. Horwath:** Do you know what a legal clinic is?

**Mr. Welsh:** Yes.

**Ms. Horwath:** Have you ever worked with the legal clinics in your community?

**Mr. Welsh:** No, I have not.

**Ms. Horwath:** How am I doing on time, Mr. Chairman?

**The Chair:** By my quick calculation, you still have another four minutes.

**Ms. Horwath:** Good. Have you ever attended any hearings at the Rental Housing Tribunal?

**Mr. Welsh:** No, I have not.

**Ms. Horwath:** And you've never participated as an observer or to check out how it all works?

**Mr. Welsh:** No, I have not.

**Ms. Horwath:** So then, with all of that in mind, what do you think you'll be able to contribute as a Rental Housing Tribunal appointee?

**Mr. Welsh:** Once again, with my past experience, being on the committee of adjustment, sitting as a fence arbitrator, being able to interpret the act, I think I can bring to the table fairness, honesty and transparency. I think every case is different. That's what I think I can bring to the position.

**Ms. Horwath:** So at this point in time, do you have any feelings about how the tribunal is currently functioning? Do you have any information about whether the tribunal is perceived to be functioning in an even-handed way or that it comes down on the side of one party or the other? Does it tend to favour decisions for landlords or for tenants? Do you have any opinion as to whether or not it's been fairly even-handed in its processes?

**Mr. Welsh:** I have no opinion on that.

**Ms. Horwath:** Well, Mr. Chairman, I don't think I have any more questions that the witness is going to be able to answer.

**The Chair:** Mr. Welsh, thank you very much for your time. Thanks for your kind words. My father will be happy to hear that you're doing well and I'll pass on his regards on his behalf. Stick around. We have one more intended appointee, then we'll move to our concurrence votes. You're invited to stay and enjoy Mr. Joy's performance for old times' sake.

#### GREGORY JOY

Review of intended appointment, selected by third party: Gregory Joy, intended appointee as member, Ontario Rental Housing Tribunal.

**The Chair:** Our next intended appointee is Gregory Andrew Joy, intended appointee as member of the Ontario Rental Housing Tribunal. Mr. Joy is here, of course, to try to raise the bar of debate and to definitely leap over any questions designed to trip him up. Members are invited to make their own puns.

**Mr. Gregory Joy:** I think the fact that I have to be entertaining is a little intimidating.

**The Chair:** Mr. Joy, thank you for joining us here today. You were good enough to be here early. You're free to make a presentation about your interest in the position, your background and skills, and then we'll go

around, beginning with the official opposition, for any questions my colleagues may have.

**Mr. Joy:** Just to clarify: Was anybody else elected in 1995? I didn't think so, so happy anniversary today.

**The Chair:** Thank you very much. It's a nice day. I'm glad I came today.

**Mr. Joy:** I'm truly honoured to be here. If you've looked at the little brief that I submitted, it's a fairly varied background. I graduated from the University of Toronto and I've gone to the University of Texas, the University of Georgia and the University of Western Ontario, so I have a broad educational background.

Many of you may remember, if you're old enough, that I competed internationally for Canada for 12 years and did fairly well in the high jump. I achieved all of my goals: a world record, Olympic medal and Canadian athlete of the year. That taught me a strong work ethic, to stick to it, to know what you need to know to get the job done. I coached myself the vast majority of my career, so I learned a tremendous amount of skills for time management and all things related to that.

I worked for the provincial government for three years at the Ministry of Tourism and Recreation as a fitness consultant and a sport consultant. While I was there, I worked with 17 different sports organizations to help them deal with a lot of their funding issues, their management issues, their organizational development issues, their marketing issues. So there was a lot of development there.

For six years, I worked as the executive director of the food bank in Ottawa. During that time, we tripled the amount of food that we were distributing to the community and we heightened the profile. I developed some significant problem-solving skills, I think, in that area.

One of them was, we developed a prepared and perishable food retrieval program. The idea was to pick up food that restaurants were going to throw away and redirect it to the poor. We had a problem in that a lot of the large companies like Cara hospitality and Kentucky Fried Chicken didn't want to donate because they were afraid of liability issues. In 1994, I approached a young MPP with an idea of getting a private member's bill pushed forward. His name was Dalton McGuinty. We pushed it forward, we got unanimous consent on second reading and had law the first day. We had a problem and I solved the problem.

We had the first liquid milk program where farmers wanted to donate milk. We had problems with the Milk Marketing Board, with the manufacturers, the distributors and the farmers, so I pulled all that together to make sure that everybody was singing from the same choir page, and we got that problem solved and had liquid milk going as a trial project in Ottawa. Now it's across Ontario, and several other provinces have bought into that.

For the last six years, I have had my own small business, doing public speaking and training for companies, government organizations and any interest groups.

Beyond that, I've done volunteer work for 25 years. I've sat on numerous boards, committees, chaired a

number of committees and worked with different groups to bring to fruition the ideas of a project and make them happen. I lean more toward committees, because I like to get things done. The policy side is interesting, but the practical, at-the-end-of-the-day-I-did-something side is what, as a volunteer, makes me excited. I've sat on school breakfast program committees, the Canada Games bid committee, the Toronto Olympic bid for the 1996 games—I was on that committee as well as working full-time on that.

One of the things that crossed my mind before I came here was, how do I express my skills to convince you that I have the background to do this job? What I found interesting is that last week I was on the phone to a friend of mine in Vancouver who owns a small national business. It's a franchise business. He said, "You'd be great at that"—because he asked what I was doing; he is coming to town next week to Ottawa. He said, "You'd be really good at that. You have all these skills." I thought back to the other people I'd talked to and they'd said the same thing. So what I found instead of me saying what I've done is these people talk about me being a clear thinker and being objective and consistent and fair and having a commitment to community service. I think those are things that I bring to the table to enhance this position.

I have been a renter in Toronto when I was in university. Living as an amateur athlete in destitute poverty, I was in a cockroach-infested bachelor apartment in the west end of Toronto. I moved up a little bit to Jarvis and Wellesley—some members may even live there; I know that some have lived there in the past—a much better maintained building. I learned a lot about the whole process at that time, the rent control process and the arbitration process, because things were coming up on a regular basis and we'd get notified about it. I would stay in touch with how the process was moving along, what the adjudicators wanted to hear and what the issues were. I never sat in on the presentations, but certainly as a renter I was aware of the process.

I strive for excellence in everything I do. I will strive to be the best I can be. I look forward to taking any of your questions.

**The Chair:** Mr. Joy, thank you very much for the very interesting presentation. Any questions begin with Ms. Scott.

**Ms. Scott:** Thank you very much, Mr. Joy, for appearing here before us today. Congratulations on your medals that you won. I'm proud that you represented us as Canadians in your Olympic bid, so thank you very much.

**1100**

You do have a great deal of experience in your community, and I appreciate the fact that you contribute so highly in your community. My question is, how did you come to apply for the Ontario Rental Housing Tribunal? Were you looking for other appointments? Was this something that jumped out at you and you felt you could make a difference in the community?

**Mr. Joy:** No, actually, I never looked for an appointment. I mentioned to you earlier that I ran in 1995, and even after that I didn't approach and say, "Can I get an appointment?" It really wasn't a part of what I was looking for.

I've known Jim Watson, who was the mayor of Ottawa, since he was a councillor, for about 14 years now. We got together after the campaign and he said, "If you're interested in anything, let me know." I said, "I really don't know what there is. If you see something that suits my abilities, because you know me—you've known me for all these years. If you see something that makes sense, I would be interested in discussing it."

A few months ago he called me and said, "I just saw this come up. You may want to apply." That was the last conversation. I said, "What do I do?" I went on the Web site. I did the application and then they called me in for the interview. I don't if you're aware, but they have the chair and the two vice-chairs and you go through a full hour interview process and then you do a written presentation. Then they called me and said, "We're doing the police check and we're doing the reference checks. You'll probably be appearing before the committee." That's how the process moved along.

**Ms. Scott:** So Minister Watson said, "This is an opening coming up, the chair of the Ontario Rental Housing Tribunal," and—

**Mr. Joy:** Not the chair, no.

**Ms. Scott:** I'm sorry—member.

**Mr. Joy:** He told me there was a position that he saw and he thought it would suit my skills. He'd known me for so long—the work I've done, my knowledge of the community and so on and so forth—that he recommended that I apply. I haven't spoken to him about it since.

**Ms. Scott:** He's listed as a reference.

**Mr. Joy:** I've known him for a long time.

**Ms. Scott:** Also, I see that you have Keith Martin, the MP from BC, as a reference.

**Mr. Joy:** Yes.

**Ms. Scott:** How do you know him?

**Mr. Joy:** My wife actually met him on a flight when he was with the Reform Party, I guess it was then, and he was doing all the work on African relief and on Head Start, which he is still trying to get done. We have a lot of common interests and have become good friends. I joined the Alliance Party, actually, to support him for his leadership bid, even though he decided he wouldn't go to the Monaco Grand Prix with me because he was going to run for the leader, which didn't make me happy. I've just been friends with him for a very long time and we share some common interests.

**Ms. Scott:** Are you currently a member of any political party?

**Mr. Joy:** How long does a membership last, about a year?

**Ms. Scott:** You can do a year. It's up to you.

**Mr. Joy:** I don't know. I joined the Liberals last year to support Richard Mahoney for his nomination bid. I

normally support people; I don't support parties as much. I joined the Liberals for that. In 1988, I got a call from David Peterson asking me if I'd run for a Liberal nomination federally, so I met in a corner pocket up here with him. As you've noticed lately, he's quite convincing, so I tried that. Then Mike Harris asked me in 1995 to run for the Tories, so I did that. I believe in people. That's been my political background.

**Ms. Scott:** Can you expand a bit more on your adjudicative experience? A lot of the people who are going to be appearing before you have not received counselling. I was just wondering how you're going to make them feel comfortable, and maybe what adjudicative background you have that you can bring to the table.

**Mr. Joy:** Sitting on a number of committees, you learn to listen to different people's points of view in order to move issues forward. Adjudicating is, for all intents and purposes, listening and understanding the issues, and then being able to reflect the issues back so they understand that you understand the issues. I have two kids, so I adjudicate all the time. I think that my background from sitting on committees and being an executive director of a very public organization has provided me with a lot of the skills necessary for that.

**Ms. Scott:** There has been discussion—we've asked the questions before—about the possible legislation and changes that are coming forth. Do you have any opinion on the tenants, the landlords? Any ideas of how you'd like to see some changes brought forward?

**Mr. Joy:** Not specifically as regards—I've certainly read the Tenant Protection Act about four or five times and I've read all the interpretation notes. There are gobs of it. I took it to Florida with me on my family vacation and they got tired of me reading it all the time.

It's important for me before I make any decisions on anything to have as much information as possible. I've read the act, I've read the pros and cons from the landlords' side and from the tenants' association side, and I have a general understanding. But before I would jump to any conclusions about any legislative changes or effects on landlords or tenants, I'd really like to listen to as many people as I could. Certainly, the people who have been doing this for a lot longer—up to six years, from what I've seen—will have a lot of very good input before I start formulating any opinions about changes.

**Ms. Scott:** Do you know any other members of the tribunal at the present time?

**Mr. Joy:** No. The three I met were an acting chair and two vice-chairs at the interview process. Those are the only people I know.

**Ms. Scott:** Did they give you any idea of how long the term is?

**Mr. Joy:** I believe they said it's a three-year term. The first year is an apprenticeship, so you're always mentored through that, and then for the next two years you're on your own.

**Ms. Scott:** In your community, you've been quite involved, especially in the food bank. I'm sure you must

have heard some conversations about housing issues locally. Can you tell us a little bit about that?

**Mr. Joy:** In the Ottawa community—I'm sure there's a lot of stuff going on behind the scenes—I haven't seen a lot of contentious issues. We had a contentious issue about a public housing area where someone put up a fence. They weren't allowed to. She was trying to beautify the area, so it became front-page news. Those are the types of things that sometimes become more public, but apart from that I haven't heard about a tremendous number of contentious issues in the public eye.

**Ms. Scott:** In the Ottawa area, do you have an affordable housing shortage? Do you know?

**Mr. Joy:** I think things have changed recently. When the Tenant Protection Act came out, there was extremely low housing availability. Apartment buildings were not being constructed; there were certain issues taking place at that time. Things have changed. Now we've got a low-interest-rate environment where people are buying more than they're renting, and that has really changed the dynamics. But what exists today may not exist two or three years down the road.

With the rental housing, it seems to have eased up. I think we're at about a 6% vacancy rate right now. So there is availability, affordability. I'm not so sure what the balance is right now, but I know that availability has become less of an issue than it was maybe five or 10 years ago.

**Ms. Scott:** Thank you very much for appearing here today.

**Ms. Horwath:** Welcome. I'm very impressed with the variety of things that you've been able to achieve in your life. I'm wondering if you could point specifically to some of your experiences that you think will help you with this particular position, and I'm not talking about your kids.

**Mr. Joy:** Or when I built my house.

Having worked in a food bank, you certainly are aware of the clientele that is dealt with on a day-to-day basis. I think it gives me a very good understanding of, and appreciation for, the struggles and the challenges that many people who rent are faced with.

You mentioned earlier the issue of a landlord and a tenant, that there's absolutely no difference between them. People need a roof over their head. Having dealt with people who are faced with challenges, who sometimes don't understand the legislation and who are faced with issues that are extremely stressful, I think I come with a compassion and an understanding of that. If a decision needs to be made for an eviction, for example, I think I carry a compassion with me that would make that order a little more palatable, a little more easy to deal with.

**Ms. Horwath:** You talked a little bit about your understanding of the current housing situation in terms of rental housing stock, but some would say that the bigger issue is affordability right now. Certainly, there's stock available for rental but the people who are in most need of affordable housing are still not having their needs met.

Those also become the people who end up in eviction situations. So I'm wondering if you have any opinion on the way to get at the affordability of rental housing, as opposed to just the availability of it.

**Mr. Joy:** That's a question that's been debated for years. I think that the federal government's proposed budget is going to be moving forward in that direction, but that's really beyond my scope of responsibilities as an adjudicator. Affordable housing is such a complex, difficult and challenging issue for us as a nation to deal with that it's probably better left to people who are in a position to actually do something about it than to speak about it.

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**Ms. Horwath:** OK. That's fair. Thanks.

I want to get you to talk a little bit about your experience with legislation, legalese, and the quasi-judicial tribunal kind of framework. You say you read the legislation over and over and over again.

**Mr. Joy:** Just for fun.

**Ms. Horwath:** That's what I would not be doing in Florida, reading the Tenant Protection Act.

Do you have a good ability to grasp the complex legal issues that are going to be coming before you as a tribunal member?

**Mr. Joy:** I think in seven years of university and post-graduate work you learn to comprehend exceptionally well. One of the nice things, I was mentioning earlier, and one of the great things is that you come in to this position with your knowledge of the legislation, the interpretation guidelines, the various documents we've been provided with. But when I went for my interview, one of the vice-chairs who walked me out said, "The training for this job is amazing." Even if I come in with relatively wet feet, I'm certain that, because of my educational background and my knowledge in being an executive director and so on and so forth, it's not a steep learning curve.

**Ms. Horwath:** Great. That's good.

I asked the previous interviewee, and I'm going to ask you too: Do you know of the concept "costs no longer borne"? Do you know what that is?

**Mr. Joy:** No. I may know it, but I don't know it by that term.

**Ms. Horwath:** I can tell you what it is briefly. It's the concept that rent can be increased to cover major renovation projects—

**Mr. Joy:** Right. It's not referred to as that in the legislation—

**Ms. Horwath:** —and then after the job's been done, and theoretically the money has been recovered through the increase in rent, then rents should come down, because those costs are no longer being borne by the landlord, because they've been paid for. Any opinion on that concept?

**Mr. Joy:** It's certainly something that should be looked at if they're going to be reviewing the act.

**Ms. Horwath:** That's great.

I don't think I have any more questions, Mr. Chairman. I think I'm done. Thank you very much, Mr. Joy. Nice to meet you.

**The Chair:** Ms. Horwath, thank you very much. To the government side.

**Mr. Parsons:** You look like you're in shape for the next—

**Mr. Joy:** I wish I felt that way. I weigh the same.

**Mr. Parsons:** I've let myself go.

**The Chair:** Are you a sprinter, Ernie?

**Mr. Parsons:** Up here. I jump to conclusions a lot.

**Mr. Joy:** I'm into downhill sprinting now. It feels good.

**Mr. Parsons:** We have no questions. Thank you.

**The Chair:** Any other questions or comments or entertaining remarks?

**Mr. Parsons:** We're fine.

**The Chair:** All right. Mr. Joy, thank you very much, and thank you for your kind congratulations. We had actually met in the past, so it's good to see you again. I wish you continued success.

Folks, we will now move to the concurrence motions, having concluded our interviews of intended appointees. In the order in which they were interviewed, we will now consider the intended appointed of Michael C. Welsh. Mr. Welsh is the intended appointee as a member of the Ontario Rental Housing Tribunal.

**Mr. Parsons:** I would move concurrence.

**The Chair:** Mr. Parsons moves concurrence. Is there any discussion?

**Ms. Horwath:** I'm sure that Mr. Welsh is a very nice person and a wonderful fellow, but I just have some concern that he really doesn't have an understanding of these issues that will be before him as an appointee to this body. I don't think he has an understanding of the complex system. It doesn't seem like he's done a lot of homework just to get to this process, and I really don't

think it's fair to the tenants or the landlords of Ontario, frankly, when there are others who probably have a lot more experience and a lot more understanding of the issues that will be before the tribunal. So I will not be able to support this particular appointment.

**The Chair:** Any other comments or questions? Seeing none, I'll put the question. All those in favour of Mr. Welsh's intended appointment? Any opposed? It is carried. Mr. Welsh, congratulations and all the best on the rental housing tribunal.

We will now consider the intended appointment of Gregory Andrew Joy. Mr. Joy is the intended appointee as member of the Ontario Rental Housing Tribunal.

**Mr. Parsons:** I would move concurrence.

**The Chair:** Mr. Parson moves concurrence. Is there any discussion with respect to Mr. Joy's intended appointment? Seeing none, all those in favour? Any opposed? Mr. Joy, congratulations. All the best on the rental housing tribunal.

Now folks, just before we do adjourn, by way of update, with the amendment to the subcommittee report of May 5, we only have one individual who is currently on our list to be interviewed. It is unlikely that that individual will be available for next week, so currently we are not sitting next week. If for some reason we do need to sit, we will notify members as soon as possible. With that heads-up, adjust your schedules accordingly.

If this is the last time that we do meet in this legislative session, we will probably be scheduling a subcommittee call sometime during the summer months to determine whether we need to meet in the summer, depending on how large the backlog gets. So subcommittee members will be notified of that.

Folks, thanks very much. Have a great day. This meeting is adjourned.

*The committee adjourned at 1115.*



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