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**Official Report  
of Debates  
(Hansard)**

**Monday 10 June 2013**

**Journal  
des débats  
(Hansard)**

**Lundi 10 juin 2013**

Speaker  
Honourable Dave Levac

Clerk  
Deborah Deller

Président  
L'honorable Dave Levac

Greffière  
Deborah Deller

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 10 June 2013

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 10 juin 2013

*The House met at 1030.*

**The Speaker (Hon. Dave Levac):** Good morning. Please join me in prayer.

*Prayers.*

### INTRODUCTION OF VISITORS

**Mr. Ernie Hardeman:** I want to recognize Tom Hawkins, who came from North Bay today for my unanimous consent motion to have second and third reading of the Hawkins Gignac Act. The bill is named after his brother's family, who perished from carbon monoxide, and I hope that today he will see the Legislature do the right thing and move it forward.

**Hon. Yasir Naqvi:** I am very happy to welcome my family, who are visiting Queen's Park: my parents, Anwar and Qaisar Naqvi; my sister, Elia Naqvi; and most importantly, visiting for the first time, my nephew and niece, Darius and Larisa Faizani. Welcome to Queen's Park.

**Mr. Lorenzo Berardinetti:** I want to introduce my legislative assistant, who is just starting today. His name is Adrian Macaulay. I want to welcome him to be able to observe question period today.

**Hon. Eric Hoskins:** I'd like to introduce, from my constituency office, John McHughan, my constituency assistant; he's in the members' gallery. With him is Emily Philp-Tsujuchi, my intern student and a former legislative page, who is doing a fabulous job in my constituency office. Welcome to Queen's Park.

**Mr. Steven Del Duca:** It's my pleasure to recognize my executive assistant, Taleen Balian, who is here with us in the members' gallery. Taleen has been working with me over the last nine months since, I first arrived here. I wanted to thank her for all of her outstanding work; I sincerely appreciate it. I'm delighted that she finally escaped from my office to come over here and watch question period live.

**The Speaker (Hon. Dave Levac):** The member from Northumberland—Quinte West.

**Mr. Rob E. Milligan:** Mr. Speaker, I thought you would—

**The Speaker (Hon. Dave Levac):** I start fresh every day.

**Mr. Rob E. Milligan:** It's a great pleasure to introduce to the chamber today my sister-in-law, Ms. Jodi Milligan. Thank you very much for coming, Jodi.

**Mr. Michael Mantha:** Our office has always functioned well when we have a good balance with volun-

teers, and I want to introduce Arashyot Kang, who has been volunteering at my office. Welcome to Queen's Park.

**Hon. Linda Jeffrey:** I'd like to introduce Kevin and Kiera Maloney, who are visiting here today from the city of Brampton. He was a successful bidder on the Rotary "Day with the MPP." Welcome to Queen's Park.

**Mr. Jonah Schein:** I'd like to welcome Max Gross to the chamber. He's a member of our riding association, one of our best canvassers and hardest-working volunteers. Welcome, Max.

**The Speaker (Hon. Dave Levac):** Further introductions?

On behalf of the Minister of Finance for page Melanie Forbes: her father, Scott Forbes, and sister Kayla Forbes are here, along with Melanie's class from Tecumseh Public School, who will be visiting in the gallery this morning. Welcome to our guests.

It is now time for question period. The member from Oxford.

**Mr. Ernie Hardeman:** Mr. Speaker, I rise to seek unanimous consent. Given that life-saving Bill 77 has been introduced five times, has passed second reading three times and has been through committee, I seek unanimous consent that An Act to amend the Fire Protection and Prevention Act, 1997 to provide safety requirements related to the presence of unsafe levels of carbon monoxide on premises now be ordered for second and third reading and the question be put immediately without further debate.

**The Speaker (Hon. Dave Levac):** I'm going to assume that that was not for question period, and it was a point of order seeking unanimous consent, so I won't stand down any questions.

The member from Oxford is seeking unanimous consent for second and third reading of his bill. Do we have an agreement? Agreed? I heard a no. Thank you.

Given my earlier comment, I would ask the clock to be reset, please.

### ORAL QUESTIONS

#### ACCESS TO INFORMATION

**Mr. Victor Fedeli:** Mr. Hawkins, I'm so terribly sorry that you had to witness that this morning.

Premier, on September 25, the day after the first documents were released, I spent 20 minutes showing this Legislature that pages were missing—nothing from the Premier, barely anything from the energy minister.

The leader of the NDP spoke next and added, “There’s no correspondence from the Premier’s office,” followed by, “There’s a surprising lack of correspondence from ... the energy minister.”

At one point that day, Premier, you stood up and interjected into your House leader’s comments, “And they have the documents.”

You were a sitting cabinet minister at the time. You told fellow legislators that we had all the documents. It’s right here in the Hansard, Speaker, the 25th of September.

Will you apologize to this Legislature for telling us one thing when you knew all along that it was false?

**Hon. Kathleen O. Wynne:** I believe the member opposite knows very well that I have gone before committee and I have answered all the questions that were asked of me. I have said from the moment that I came into this job that I was going to be working to provide all the information that had been asked for, because I was clear that there was information that had been asked for that had not been provided, and that has now happened. That’s why I asked the Auditor General to look at the Oakville situation. That’s why we worked to broaden the mandate of the committee so that all of the questions that were being asked could get answers and that all the documents would be turned over. That’s what we’ve been engaged in for the past number of months.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Victor Fedeli:** For quite some time, Premier, you’ve been getting away with saying we had “all the documents,” and, in fact, you would not answer all the questions at the justice committee. It took the privacy commissioner to prove what we’ve been saying all along: “There was a culture of avoiding the creation of written documentation on the gas plants issue.”

So now you’re still carrying that on by using secret Gmail accounts to circumvent the laws of this Legislature. Premier, is there anything you won’t do to keep your gas plants scandal from the taxpayers?

Last week, I stood here and asked you to call in the OPP to investigate this theft. You would not do that, so we had to. We need you to come clean, Premier. Will you now direct your staff to fully co-operate with the OPP investigation, and will you demand that the stolen documents and USB drives be turned over to the police?

1040

**Hon. Kathleen O. Wynne:** As I have said, we will co-operate with whatever questions are asked of us; we have done that, Mr. Speaker. If the member opposite remembers, the requests last year were for energy documents only. That has been broadened, and all of the documents that have been asked for—130,000 documents we have turned over; 30,000 documents from my office—have been turned over.

The privacy commissioner has made recommendations; she has written a report. I have said that I agree with her conclusions and that changes need to be made. We are working with the privacy commissioner’s office as we speak.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Rob Leone:** The Premier has no problems taking her staff to the woodshed for spaghetti-strapped tops but can’t be bothered to ask them to return stolen property.

The privacy commissioner says deleted documents wiped clean from computers may still exist on USB drives. This is stolen property. Staffers and ministers of the crown continue to obfuscate in committee. They say, “I don’t know anything,” until you can prove otherwise. That’s completely unacceptable.

Premier, when will Ontarians finally get some honesty from your scandal-plagued government?

**Hon. Kathleen O. Wynne:** Mr. Speaker, let me just say that in every aspect of this job I am working to make sure we have the professionalism that is required and expected of us as government.

I will say to the member opposite that the privacy commissioner has written a report; she has made recommendations. I agree with her conclusions that there need to be changes. In fact, we have proactively taken steps to put in place a protocol that is different than was here before. We have put training in place. We made sure that staff understand that the retention of documents is important and which documents have to be retained. We will continue to work with the privacy commissioner to make the changes that she has recommended.

#### ACCESS TO INFORMATION

**Mr. Rob Leone:** The privacy commissioner has tabled a report in this Legislature called Deleting Accountability. This now is the label of the Liberal Party and speaks to the culture of the Liberal Party.

Mr. Speaker, this all started in the estimates committee back on May 16 of last year, when we asked for the production of documents. It has been a year—two Premiers equally complicit in this scandal. You’ve lost an energy minister, you’ve lost a Premier and you took forever to apologize. All the while, the leader of the third party gases up your getaway car.

You weren’t willing to hand over documents a year ago when we asked. We all know how that turned out. Premier, will you now hand over those stolen documents on USB keys?

**Hon. Kathleen O. Wynne:** I’ll just go over what has happened. I came into this office. I said during the leadership, Mr. Speaker, that we were going to provide as much information as we were asked for and we were going to work to open up the process. That’s what I’ve done.

I asked the Auditor General, on my own accord, to look at the Oakville situation. We immediately called the House back. We expanded the scope of the committee. I appeared at the committee. We have turned over documents. We’ve put in place a different protocol around retention of documents. I am doing everything I can to make sure that every question that is asked gets an answer and that all the documents that are relevant that

have been asked for are turned over. We will continue to behave in that manner.

**The Speaker (Hon. Dave Levac):** Supplementary. The member from Prince Edward–Hastings.

**Mr. Todd Smith:** To the Premier: On Friday, Ontarians were shown exactly how far this government has sunk. In spite of evidence that senior Liberals had broken the law, you refused to call in the OPP. So the Ontario PCs wrote to the OPP commissioner, Chris Lewis, to get to the bottom of the biggest scandal in Ontario's history.

In spite of your shallow pleas that you've been trying to be transparent, it's been clear all along that you're more interested in protecting the Liberal Party than the people of Ontario. Just because the Liberals' NDP farm team is willing to support that kind of behaviour doesn't mean that we in this party will.

Premier, you resisted bringing in the OPP, but now they're coming after you. How much more evidence of senior Liberals breaking the law has to come to light before you actually come clean with the people of Ontario?

**Hon. Kathleen O. Wynne:** Just let me say that I have done everything in my power, since I have been in this office, to make sure that all of the information was available.

I have said, Mr. Speaker, that the original decision to site the gas plants where they were sited did not have a good process up front. There should have been a better process in the initial stages, so that a different decision could have been made. I have said that repeatedly, and we are working to make sure that this doesn't happen again.

On the issue of the documents, again I agree with the conclusions of the privacy commissioner, that this should not have happened, that emails should not have been deleted. We will work with the privacy commissioner to ensure that a better protocol is in place going forward and that the changes that need to be made are made.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Todd Smith:** We're not interested in hearing about the emails and documents that were turned over. We're more interested in hearing about the questions you refused to answer in committee. You didn't answer 32 questions that were put to you by my colleagues. Perhaps you're covering something up. Thirty-two times you didn't have an answer—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order. The member will withdraw.

**Mr. Todd Smith:** Withdraw, Speaker.

**The Speaker (Hon. Dave Levac):** Carry on.

**Mr. Todd Smith:** The former Premier likewise refused to actually answer questions in the Legislature, and on Friday, he insulted the intelligence of Ontarians by pretending that he had no idea what was happening in his office as this scandal unfolded.

Premier, senior Liberals have already broken the law, and your appearance at committee has set the example for what the Liberal standard of co-operation is. Is this

the kind of co-operation that the Ontario Provincial Police can expect, or will your government obstruct yet another investigation?

**Hon. Kathleen O. Wynne:** I answered under oath at the committee. I answered every question that was asked of me, and I gave the information that I had. I cannot help it if the member opposite didn't like the answers, didn't understand the answers or was looking for a different answer. I gave the answers that were true. I gave the answers with the information that I had.

I will continue to do that whenever I am asked. We will co-operate as questions are asked. We will provide the information that is requested.

#### ACCESS TO INFORMATION

**Ms. Andrea Horwath:** My question is for the Premier. Does the Premier believe that ministers of the crown are responsible for the actions of their staff?

**Hon. Kathleen O. Wynne:** Yes, I absolutely do.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** Craig MacLennan, the chief of staff to two Ministers of Energy, told Ontarians that he routinely erased emails, destroyed all his emails. One of those former energy ministers, the member for Scarborough Centre, still sits in cabinet. Has the Premier asked this minister why his staff were destroying information that belonged to the public?

**Hon. Kathleen O. Wynne:** I think what the privacy commissioner's report has underlined is that there were protocols and practices in place that need to be changed, that should not have been in place. I have acknowledged that. I have said that I agree with the privacy commissioner, that those protocols were not the right ones. In fact, since we've been in office, there has been a different protocol in place. We will continue to work with the privacy commissioner to ensure that the changes that need to be made are made.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** The question was whether or not the Premier had asked her minister about whether he approved staff destroying records. The former Premier, the member for Ottawa South, sits on the government front bench as well. He's a member of the Liberal caucus that this Premier leads. In fact, she proudly sat in his cabinet. Has the Premier discussed the destruction of records with the member for Ottawa South, and if not, why not?

**Hon. Kathleen O. Wynne:** I have made it very clear to all of the members of my caucus and cabinet what the rules are, how we're going to proceed, what the protocols are. The Minister of Training, Colleges and Universities appeared before committee, answered the questions that he was asked vis-à-vis his time as Minister of Energy. He's been there and answered those questions. He and all the members of my caucus and cabinet know what the rules are, and we will be following those protocols.

Again I say, I agree with the conclusions of the privacy commissioner, that the retention of information is very important and that there are changes that need to be made. We are working with her office, Mr. Speaker.

#### ACCESS TO INFORMATION

**Ms. Andrea Horwath:** My next question is to the Premier. As the Premier knows, a sitting member can actually decline to testify before a committee. New Democrats are asking that the member for Ottawa South come to the justice committee to testify about why his staff were destroying information that belongs to Ontarians. Will the Premier ensure that this member of her Liberal caucus comes and testifies at committee?

**Hon. Kathleen O. Wynne:** I know there are a number of people who've been asked to come before or come again before the committee.

I can't speak to the scheduling issues that any of those people would have, but I certainly encourage anyone who is asked to come and speak to the committee, that they do that.

*Interjections.*

**The Speaker (Hon. Dave Levac):** A couple of conversations going on between parties—please stop.

1050

**Ms. Andrea Horwath:** The member for Ottawa South seems to be blaming his staff for the destruction of information that belongs to the public. I think Ontarians want to know why the member himself isn't taking any responsibility. Does the Premier think it's acceptable for this member of her caucus to try to avoid responsibility and blame everything on staff?

**Hon. Kathleen O. Wynne:** Well, I would suggest that none of the members who have been called are avoiding anything. The member for Ottawa South has appeared before the committee, and as I say, there are a number of people who have been asked to come or come again to the committee. I don't know what their scheduling issues are, but I certainly encourage them to do so, to come forward.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** Ever since the Liberals first made their cynical play to cancel private power deals in Mississauga and Oakville, they've scrambled to cover the facts. But no matter how hard they try, the picture is becoming clearer and clearer by the day. We're seeing a lot of finger pointing and a lot of—

*Interjections.*

**The Speaker (Hon. Dave Levac):** That will do. Allow the question to be put.

Leader.

**Ms. Andrea Horwath:** We're seeing a lot of finger pointing and a lot of blame on that side of the House, but the buck stops with the Premier, the leader of the Liberal Party. Is she going to keep playing the blame game, Speaker, pointing fingers at staff who have departed? Or is she going to take the necessary steps needed to get the answers that people deserve?

**Hon. Kathleen O. Wynne:** With all due respect, I believe I have taken responsibility. I believe I have said that those original decisions were not made in a context that was appropriate, that there should have been a better process.

I'll remind the leader of the third party that, once again, we all agreed in this House that those decisions to site those gas plants were not the right decisions and that they should be changed, and we all said that that should happen. We implemented the decision; we made that move.

But I have said repeatedly and I have said that it was unacceptable that we didn't have a better process up front. So I take responsibility. And further, in terms of providing the information, as I say, we have done everything possible since I've been in this office to provide the information that has been asked for. We will continue to do so

#### ACCESS TO INFORMATION

**Mr. John Yakabuski:** My question for the Premier: Premier, so far you have shown a complete lack of leadership on your government's scandalous handling of the gas plant cancellations. For months, you've continued to insist that all of the documents have been released, even after our party revealed that there were huge gaps in that disclosure. We now know that at least five senior Liberal staff had their correspondence illegally wiped clean. And how have you responded? "Well, okay, we got caught this time. We'll have to be more careful the next time." No one will be forced to resign. If you have your way, there will be no consequences whatsoever.

The PC Party was forced to call in the OPP after you refused. Will you at least instruct your staff to disclose exactly what went on in your office and to fully cooperate with the OPP investigation?

**Hon. Kathleen O. Wynne:** Government House leader.

**Hon. John Milloy:** Let me remind the honourable member about the leadership that the Premier has taken on this file. When she assumed the office as Premier, one of her first actions was to ask the Auditor General to look into the Oakville situation, and we expect his report later this summer. It was this Premier who offered, although rejected, a select committee to the opposition, and instead, when they decided to go on a witch hunt over a former member, it was this Premier that offered to widen the scope of the committee and in fact, again, although rejected by the opposition, to do a government-wide search for documents. In total, to date we have given the committee some 130,000 documents, including 30,000 documents from the Premier's office. The Premier herself—

**The Speaker (Hon. Dave Levac):** The member from Renfrew asked the question; I'm sure he wants to hear the answer. And, member from Prince Edward-Hastings, if you were in your seat, I would say be quiet. Now I'll say it anyway.

Wrap up, please.

**Hon. John Milloy:** The Premier herself has appeared in front of the committee and answered every single question. Other ministers have gone forward. Mr. Speaker, this Premier has shown incredible leadership on this file.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. John Yakabuski:** Back to the Premier: Let's put this into context. A sitting President of the United States was forced to resign and senior staff went to prison when caught in a clear attempt to eliminate records and deny access to the truth—you'll remember Watergate. That's exactly the situation we have here: an attempt by the Liberal Party to deny the people of Ontario access to the truth, and at least \$600 million of their money is gone.

How does the Premier respond? She's implementing a summer dress code. While the Premier worries about violations of her dress code, the people of Ontario are more worried about violations of the Criminal Code in your office.

Will you finally come clean and instruct your staff to reveal exactly what went on in your office, when these two gas plants were cancelled, and fully co-operate with any OPP investigation?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Government House leader?

**Hon. John Milloy:** Mr. Speaker, I know that the official opposition is taking advice from Republican strategists, but I think maybe we should put this in a bit of context. We are talking about a decision to cancel gas plants that was supported by every party in this House.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order. I also remind all members that you reference someone by their title or by their riding.

**Hon. John Milloy:** Mr. Speaker, we're talking about a decision that was aggressively supported by the party opposite, although they're not interested in answering any questions about that. The fact of the matter is, as I outlined, that when the Premier assumed her role, she was the one who asked the Auditor General to look at the Oakville situation. She is the one who has broadened the scope of the committee and provided it with witnesses—herself, other senior ministers—and 130,000 documents.

#### LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** Ma question est pour la ministre de la Santé et des Soins de longue durée. Today the Minister of Health announced a new deadline for resident quality inspections of long-term-care homes. I feel like I'm having a really bad case of déjà vu all over again, because the same minister made the same announcement in 2010.

Speaker, all of last week this minister denied that she had failed. Will the minister finally admit today that she has ignored her own legislation?

**Hon. Deborah Matthews:** To be clear, Speaker, we have met the legislated requirements to have an inspection in long-term-care homes every year, but we have not met the commitment we made to residents of long-term care to do a thorough resident quality inspection every year. Today, I renewed our commitment to that. I announced that we will be hiring about 100 more inspectors, which more than doubles the number of inspectors, because we think residents of long-term care deserve to have the confidence that they are receiving the highest-quality standard of care in our long-term-care homes.

**The Speaker (Hon. Dave Levac):** Supplementary?

**M<sup>me</sup> France Gélinas:** Last week, the minister argued with my leader that the inspections were being done. We're talking about a huge credibility deficit here, Mr. Speaker. Today, she gave herself a new deadline to do the resident quality inspections because she failed to meet the last deadline.

Can the minister give me, and every other Ontarian who wants our long-term-care homes to be safe, a reason why we should believe her at her word this time?

**Hon. Deborah Matthews:** In 2010, we passed legislation that significantly strengthens our long-term-care homes—the quality of care in those homes, including more rigorous inspection.

Speaker, I think it's fair to say that as we have implemented this new regime of inspection, we were not appropriately staffed. We needed more inspectors, and that's why I am so very pleased that today I announced we are making that investment. As I said earlier, we owe it to the residents of long-term care to ensure that they have those inspections that will lead to higher quality care.

#### LONG-TERM CARE

**Mr. Grant Crack:** My question is for the Minister of Health and Long-Term Care. Many Ontarians have loved ones in long-term-care homes. Their safety and the quality of their care are of utmost importance to all Ontarians. The Ministry of Health plays an important role at ensuring long-term-care homes provide the quality of care our parents and grandparents deserve.

**1100**

Given the recent news, many in my riding are concerned that the ministry could be doing more inspections of long-term-care homes. What is the minister doing to address these concerns?

**Hon. Deborah Matthews:** Thank you to the member from Glengarry–Prescott–Russell for this question and for his strong advocacy for seniors in his riding and across the province.

In 2010, we passed strong legislation setting very high quality standards. In fact I'm unaware of any jurisdiction that has higher standards than right here in Ontario. It includes a rigorous inspection regime, but there is more that we need to do. I acknowledge that.

I was very pleased this morning to renew that commitment to the residents of long-term-care homes and their

loved ones that we will do a proactive, unannounced Resident Quality Inspection annually. By the end of 2014, we will have completed a new baseline RQI for every home in this province and annually thereafter.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Grant Crack:** Thank you, Minister. This is good news for all of us who have loved ones in long-term care. Comprehensive, unannounced inspections are important to ensure long-term-care homes are protecting their residents and providing a high standard of care. But I'm sure there's more to be done.

Could the minister speak about what else she's doing to ensure residents of long-term-care homes are getting the best possible care?

**Hon. Deborah Matthews:** We've come a long way to improve care and ensure safety for our loved ones in long-term-care homes. We've got more than 10,000 people working in long-term-care homes. Our 2010 legislation means that long-term-care homes must report critical incidents. Inspection reports are posted online. Residents First is a wonderful quality improvement initiative. It provides long-term-care home staff with the knowledge and skills they need to provide safer, more effective and more responsive care. Very innovative and successful work is being done through Behavioural Supports Ontario to help staff care for people with behavioural challenges, very often dementia. We're working to implement the recommendations of the long-term-care task force.

There is a change of culture in our long-term-care homes. It is very positive, and I'm glad today we were able to further strengthen oversight in our long-term-care homes.

#### ACCESS TO INFORMATION

**Mr. Ted Arnott:** My question is for the Premier. To quote Sir Walter Scott, "Oh what a tangled web we weave, when first we practise to deceive." Last week the government learned that they cannot deceive the privacy commissioner; soon they will find that they cannot deceive the Ontario Provincial Police.

The Premier would have us believe that she wants to restore transparency and provide access to all documents relating to the Oakville and Mississauga gas plants scandal. She has made that statement repeatedly, even though she knew full well that damning emails had been erased.

What is the Premier prepared to do to ensure that all current or former Liberal caucus and staffers fully comply with the OPP investigation?

**Hon. Kathleen O. Wynne:** Although all the world is a stage, it seems to me that this place is a place where we are not really engaged in theatre.

What I have said over and over again is that I have worked, since the day I got into this office, to make sure that every question that was asked and every document that was asked for received an answer and the document was provided.

We opened up the process. We made sure that the committee had the opportunity to ask a broad range of

questions. We have complied and provided that information to the committee since I came into this office. I said during the leadership that that was exactly what we were going to do. That's what we followed through on—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Renfrew, come to order.

**Hon. Kathleen O. Wynne:** —and we will continue to behave in that manner.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. The idea of asking somebody to come to order doesn't mean that you get to finish the sentence; it means you just stop.

I also want to make a comment on what I heard. There's a delicate balance between what one wants to say in this place and what we're not supposed to say in this place. I think if you start down the road of leaving the listener with the impression that something is happening that's unparliamentary in your language, that could be the case. So I'm going to caution all of us to try to avoid trying to say something you're not supposed to say and say it a way that you can say it. I'll leave it at that and let everybody just kind of digest that.

Supplementary, please.

**Mr. Ted Arnott:** Back to the Premier: As this House winds up its spring session, the pungent stench of scandal permeates this chamber. The Liberals and their NDP enablers will soon return to their ridings and they'll discover that the people of Ontario have rendered their verdict.

The Liberal members comprise the government of Ontario. They are all responsible. By propping them up, the NDP are now culpable as well. The Liberals have been found in contempt of this House. The privacy commissioner says they broke the law. The OPP have begun their investigation. It's time for this government to go.

Will they call our non-confidence motion for debate and a vote before this House adjourns for the summer?

**Hon. Kathleen O. Wynne:** Government House leader.

**Hon. John Milloy:** We have a committee of the Legislature which is looking into this matter. The Premier has outlined the steps that she has taken beyond that, including speaking with the Auditor General.

The report of the Information and Privacy Commissioner raised some troubling issues. The Premier has outlined the steps that we have taken to make sure that the rules as they exist are being properly adhered to by political staff, both in her office and across Queen's Park.

At the same time, as I indicated last week, I will soon be sitting down with the Information and Privacy Commissioner to work with her in my capacity as Minister of Government Services, to see what steps can be taken to strengthen the act going forward, so that the information that she relayed in her report never happens again.

We have been taking proactive steps. We will continue to take those steps, and we will also allow the committee of this Legislature—

**The Speaker (Hon. Dave Levac):** Thank you. New question.



## ACCESS TO INFORMATION

**Mr. Peter Tabuns:** To the Premier: The former Premier's chief of staff, principal secretary and energy adviser had their email accounts destroyed shortly after the Standing Committee on Justice Policy began asking for documents about the gas plants.

Who gave the order for this information to be destroyed?

**Hon. Kathleen O. Wynne:** Again, as I have said, we have changed the protocol in our office. There has been a training done. Again, the member is asking a question that needs to be asked of someone else. It's very clear that we have put in place a protocol that emphasizes the importance of retention of documents. As I said, a training has been put in place.

As the House leader reinforced, he will be meeting with the privacy commissioner in his role as Minister of Government Services, so that we can make sure that whatever strengthening of the protocol needs to be in place is done.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Peter Tabuns:** Speaker, I believe the Premier has some responsibilities of her own to ask questions. It was one of your caucus members, the member for Ottawa South, who was in your seat when information was being deleted from government computers. The member for Ottawa South is a member of your caucus. Has the Premier asked him whether he gave the order to destroy information?

**Hon. Kathleen O. Wynne:** As I've said previously, the Minister of Training, Colleges and Universities appeared before committee to answer questions about his time as Minister of Energy.

According to the protocol in place at the time, the email accounts of former government employees were deleted by IT staff periodically after the employees left. That protocol applied to all public servants. The chief administrative officer in each ministry approved the destruction of former employee email accounts, with the understanding that staff members had appropriately dealt with the records.

But that protocol has changed. We have changed that protocol. Since February we've taken steps to make sure that political staff are aware of their responsibilities. There has been mandatory training put in place, as I've said. We have changed the protocols around the retention of information.

## TEACHER TRAINING

**Mr. Phil McNeely:** Speaker, my question, through you, is to the Minister of Education. Over the past number of years, we have made tremendous gains in our education system. Our graduation rates have increased by 15 percentage points. Our test scores have grown by 16 percentage points. McKinsey and Company has rated our schools among the best in the English-speaking world.

As we continue to roll out full-day kindergarten, we are providing our youngest learners with the best possible

start, to help them succeed later in their education. But if we're going to continue to provide our students with the skills they need to succeed, we need to ensure that our teachers are well trained for the classroom of today.

**1110**

I understand that our government has made improvements to our teacher education program. Speaker, through you to the Minister of Education: Could the minister please inform this House what our government is doing to enhance our teacher education program in our post-secondary institutions?

**Hon. Liz Sandals:** Thank you to the member from Ottawa-Orléans for his continuing interest in education. Speaker, we know that for student achievement to improve we need to continue to provide our students with high-quality teachers. That's why we are improving the way we train our teachers for the classroom.

Our new enhanced teacher education program will increase learning time for prospective teachers from two semesters to four. It will also double the amount of practical teaching days from 40 to 80 days. Students in the program will gain experience in areas including special education, mental health and incorporating technology into the classroom.

We also know that we have an oversupply of teachers in our province. As a result, we will be reducing our admission rate to the program by 50% so our teachers will have a better chance of being employed once they graduate. By making sure our teachers—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mr. Phil McNeely:** Thank you, Minister, for informing the House about the work our government is doing to provide our teachers with the skills they need to teach in our classrooms. It is great to hear that Ontario is modernizing teacher education to provide our students with the best possible education.

Minister, I expect these changes could impact some post-secondary institutions' teacher education programs more than others. It could also impact resources that have been going to other programs within universities.

Can the minister inform the House about what the government is doing to ensure adequate funding for Ontario's post-secondary teacher education system?

**Hon. Liz Sandals:** The Minister of Training, Colleges and Universities.

**Hon. Brad Duguid:** Our post-secondary partners have done a tremendous job adjusting to the challenges they have faced in the past. I agree that we're calling on them again to be challenged and to adjust to some changes. I'm quite confident that they can do it. They'll need to move very quickly to adjust to this new curriculum to implement it by 2015. This will be challenging for them, but I'm confident that they'll do it.

They'll also need to adjust to the decision to lower the funding assignment for teacher-ed seats. This won't be easy, but I'm pleased to report that we'll be working closely with impacted universities, and we'll work with those severely impacted to help them through this period of adjustment.

Mr. Speaker, together we will continue to build on the work that this government has done to make Ontario a global leader in education. We'll be working with those stakeholders to ensure that that work continues.

#### LEGISLATIVE OFFICERS

**Mrs. Julia Munro:** A question to the Premier: The Auditor General and now the privacy commissioner have provided scathing condemnation of the behaviour of your government and the government that you are now responsible for. In each of the cases where those officers of the assembly have, in great detail, enumerated your wrongdoings, you have thanked them for their advice.

My question is simple: How many more scandals before you finally take decisive action on their advice? When will you show some leadership?

**Hon. Kathleen O. Wynne:** I do thank the officers of the Legislature for their reports. They work hard, and they perform a very vital and important function. That is why I have said thank you to them and I have said, in this most recent instance of the privacy commissioner, that I agree with her conclusions. There are changes that need to be made, Mr. Speaker.

If we accept that somehow, at some point, there will be a static and perfect state of all of the processes around the Legislature, then I think we're mistaken. The Legislature and the processes continue to evolve. That's why it's important to have the officers of the Legislature analyzing what's happening and giving us recommendations.

So I do thank them. I agree with the conclusions of the privacy commissioner. In every case, we had either begun to take action before the report has come out, as in the case of the privacy commissioner, or we're responding to recommendations in an active way.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mrs. Julia Munro:** Well, the NDP has chosen to prop up the Wynne-Horwath government with the promise of a new financial officer, another voice responsible to the assembly. Are you going to thank him when he admonishes you, or are you going to provide real leadership and exercise some ministerial responsibility?

**Hon. Kathleen O. Wynne:** It's interesting because underlying the member's question is some kind of assumption that if everything were perfect you wouldn't need to have these officers in place.

The point is that it's important to have objective eyes looking at the procedures, looking at the processes, looking at government and providing advice. That is the point.

So, of course, when the new Financial Accountability—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Thank you, Premier?

**Hon. Kathleen O. Wynne:** Of course, when the new officer is in place, we will work with him or her. We'll make sure that we provide the information, and that we provide whatever information is necessary so that that

officer can do the work that will then lead to productive recommendations. That is the point of having objective analysis of the actions of a government. I look forward to working with that person as we have worked with the other officers of the Legislature.

#### ENVIRONMENTAL PROTECTION

**Mr. Taras Natyshak:** My question is to the Premier. Windsor residents are concerned about a toxic powder called petroleum coke that's been piled three storeys high, occupying an entire city block just across the river from Windsor. Pet coke has been called "dirtier than the dirtiest fuel." Residents, tourists, and commercial and sport fishermen on both sides of the river are concerned about clouds of black dust blowing off the mounds that are left uncovered.

The Premier has known that Windsor residents and officials have been concerned about these open piles for some time, so why didn't the Premier bring up pet coke at the recent meetings of Great Lakes governors?

**Hon. Kathleen O. Wynne:** Minister of the Environment.

**Hon. James J. Bradley:** These matters are always raised with the appropriate authorities. The member would know that the government of Ontario has been very concerned about this and is taking all the action that would be appropriate. We are concerned when particularly items of this kind arise when the Americans are involved with it.

These matters are raised from time to time from the ministry staff to ministry staff. In our case it would be the Ministry of the Environment, and Environment Canada, in fact, would be involved as well. In the state of Michigan, I believe it would be called the Department of Natural Resources for the state of Michigan that would be involved in this.

So these matters have been raised. I thank the member for raising it in the House because it gives it even more of a profile now, and I think the need for the appropriate action to be taken by those who are responsible is quite evident to all who are concerned.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Taras Natyshak:** I appreciate the minister's concern, but the government's silence on this has been deafening.

Windsor residents know that wind and rain don't know borders. They are concerned about what's going to happen to the river Windsor shares with Detroit, when rainwater and mountains of pet coke, which is high in sulphur and high in heavy metals, run off into the river.

Windsor council, the local MP and Michigan state and federal elected officials have all raised concerns about the potential health and environmental danger of pet coke piles, but the Ontario government has been silent.

If the Premier has known that residents and local leaders have been concerned about the pet coke, then why hasn't she taken any action to help resolve this problem?

**Hon. James J. Bradley:** I think the information that the member has provided is not accurate. It's not his

fault; he wouldn't be aware of the fact that officials of the Ministry of the Environment have contacted their counterparts in Environment Canada, as this is an international situation that has arisen. Environment Canada and the International Joint Commission are the lead on this issue. As a ministry, we have offered to provide any assistance required to see this issue resolved. So in fact, we are working with Environment Canada on this issue, it being international. The International Joint Commission is involved in this issue at the present time, and our ministry has raised this issue. The member perhaps gave the impression this has not happened, but our ministry has, in fact, raised this issue with all the appropriate authorities.

We hope to see it resolved as quickly and as expeditiously as possible because we find the situation that exists to be unsatisfactory.

### AFFORDABLE HOUSING

**Ms. Helena Jaczek:** My question is for the Minister of Municipal Affairs and Housing. Many people are increasingly choosing to rent out their basement suite as an apartment. Whether the suite becomes a home to an elderly parent, a spot for a live-in caregiver, or an apartment that will provide additional income to help the family with the mortgage, these spaces provide families with the flexibility they need.

However, if these secondary suites are poorly designed, it can be quite dangerous, especially if they lack fire alarms, proper exits or adequate fire barriers.

1120

Mr. Speaker, can the minister please tell us what our government has done about these issues and how they will help assist Ontarians in finding practical housing options while ensuring the safety of all Ontarians?

**Hon. Linda Jeffrey:** I'd like to thank the member for the question. Our government understands that the residents of Ontario need flexible and affordable housing options, particularly as our population grows up and ages. Secondary suites such as basement apartments and granny flats provide an affordable housing option and a solution to our increasing population, our changing demographics and our aging communities. These spaces allow Ontarians to have a place for their elderly parents or extended families to live with them while allowing for independence and privacy. It also gives elderly homeowners the ability to have their caregivers live with them, extending the time that they are able to stay in their homes.

These suites, whether they are newly built or have existed for years, must meet building and fire codes, providing safer housing options for Ontarians.

These are the solutions that Ontarians want and deserve, and that's why our government made changes to the Planning Act to help increase the supply of this flexible housing.

**The Speaker (Hon. Dave Levac):** Supplementary.

**Ms. Helena Jaczek:** Thank you, Minister. It's very heartening to hear what our government is doing to increase the number of affordable housing units in the

province. But all of these additional suites could provide additional problems. In some communities, residents have expressed concerns about the impact of secondary suites on their neighbourhoods. They are worried that the increases in population will lead to increased demand on services such as schools, hospitals, public transit and even roads. This need for additional housing options needs to be balanced with the capacity of the municipal infrastructure that exists.

Mr. Speaker, through you to the minister: Can you tell us what consultation occurred with municipalities before we implemented these changes?

**Hon. Linda Jeffrey:** Again, I would like to thank the member for the question. As a former city councillor myself, I remember how in the past the relationship between the municipal government and the province was fraught with tension and mistrust. That's why since 2003 I and this entire government have worked very hard to repair the relationship we have with municipalities. In fact, we signed an historic memorandum of understanding with the Association of Municipalities of Ontario in 2010 endorsing the principle of regular consultation.

On the issue of secondary suites, the Ministry of Municipal Affairs and Housing met with the Association of Municipalities of Ontario and the city of Toronto to work together before changes were made, because we knew that these changes would have an impact on municipalities.

Our government remains committed to continuing to work with our municipal partners in making these changes to help communities across Ontario address local housing issues in a way that respects local opinions and desires.

### ACCESS TO INFORMATION

**Mr. Rod Jackson:** Speaker, my question is to the Premier. "I didn't know" is literally becoming a cliché coined by the McGuinty-Wynne Liberals. The Liberals didn't know how much the gas plant cancellations would cost taxpayers. The Liberals didn't know about thousands and thousands of files received in document dump after document—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. Order, please. Thank you.

Member from Barrie.

**Mr. Rod Jackson:** I guess I hit a nerve.

Apparently, the Liberals didn't know staffers were instructed to use Gmail accounts and delete email records free from public scrutiny.

There are only a few explanations for not knowing: ignorance, incompetence or moral bankruptcy. Premier, which one is it, or is it all of the above?

**Hon. Kathleen O. Wynne:** Government House leader.

**Hon. John Milloy:** It is this Premier who, upon assuming office, asked the Auditor General to look into the Oakville situation. It is this Premier who proposed a select committee of the Legislature to look into the gas plant situation, which was rejected by the opposition, but

she still went ahead and talked about modifying, enlarging, the role of the committee, which was agreed to by the committee. It was this Premier who appeared in front of the committee. It has been under this Premier's watch that 130,000 documents have come forward.

Yes, there is material in the Information and Privacy Commissioner's report which needs to be responded to. This Premier has given me direction, as Minister of Government Services, that we work with her to see that the current rules are strengthened, Mr. Speaker, so the actions that she outlined never happen again.

This Premier has shown leadership in this regard, in making sure there is transparency when it comes to the gas plant issue—which, I remind the member again, his colleagues were out campaigning for—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mr. Rod Jackson:** The ridiculousness of this doesn't even stop. It's easy to open up the process, it's easy to show leadership, after you've destroyed all the evidence that comes before it. Unfortunately, incompetence and malfeasance are not mutually exclusive. In fact, the Liberals have demonstrated the two are actually complementary to one other.

Last week marked the first time ever that an Ontario government has been investigated for two separate scandals by the OPP. Ontario's Information and Privacy Commissioner concluded record laws were in fact broken. The OPP's elite anti-rackets squad has launched a probe into the latest scandal within a scandal—the destruction of information on the public record, and it seems that just about everyone's ethics barometer is going off the scale, except for the McGuinty-Wynne-Horwath government.

Premier, the people of Ontario kind of got stuck with you, really. Will you let Ontarians decide if the Liberals are too incompetent or too corrupt to lead Ontario?

**Hon. John Milloy:** Speaker, there have been 130,000 pages of documents that have been put forward to the committee.

But let's go back to first principles. In the last election, there was not one party that promised to cancel that gas plant, there were three that promised to cancel that gas plant. It was the leader of that member's party who went on YouTube and said that if he was elected Premier, it would be "done, done, done." It was the leader of that member's party who went before committee and 28 times refused to talk about the costing and the research that had been undertaken by his party. It was the leader of his party who has been encouraging candidates to not appear in front of the committee to talk about their role in the gas plant cancellation.

I'm very proud of our Premier, who has been forthcoming, in terms of the actions she has taken and appearing in front of committee. It would be nice to see the same from that party across the way.

#### PUBLIC PARTICIPATION

**Mr. John Vanthof:** My question is to the Minister of Health. SLAPP suits are on the rise in Ontario. These

lawsuits are commonly used to intimidate people from participating in public debate. They are an affront to democracy.

Last week, the Attorney General introduced legislation in this House that is intended to curb this problem. If passed, it would fast-track these types of lawsuits so they would be heard within 60 days and dismissed if they were shown to be SLAPP.

It's been much more than 60 days since the boards of the MICs Group of Health Services and the Anson General Hospital in Iroquois Falls have served nine members of the community with defamation lawsuits for standing up for what they believe.

Minister, do you support the anti-SLAPP legislation proposed by your government, and if so, why is your ministry still funding lawsuits against the people of Iroquois Falls?

**Hon. Deborah Matthews:** I welcome the member's advocacy for the hospitals in his community, and he and I have spoken on several occasions. As he knows, we are moving forward. Mr. Ron Gagnon is in there, trying to do what he can do to get the health care that people deserve in that community.

We will continue to work on this. Of course, I fully support the legislation that was introduced by the Attorney General just last week.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. John Vanthof:** Once again to the Minister of Health: The LHIN has initiated a review of the hospital situation in Iroquois Falls. Your ministry has also appointed a special investigator to look at the governance of Anson General Hospital, and still these people are being sued.

People in the community are very concerned about the future of their hospital and as a result, when the hospital board announced it was reopening memberships to the local corporation, interest was understandably very high. Imagine the community's surprise and outrage when over 200 people have had their membership applications refused, including long-term volunteers and past members.

Minister, can you tell me why Mrs. Gilda Shea, a pillar of the community and a recipient of the Queen's Diamond Jubilee Medal, is not welcome as a member of the Anson General Hospital?

**Hon. Deborah Matthews:** To the Minister of Community Safety and Correctional Services.

**Hon. Madeleine Meilleur:** Mr. Speaker, I'm replacing the AG today.

One of the great things about living in a fair and democratic society is that we can speak out on matters that are important to us. If passed, this legislation would protect citizens by allowing courts to quickly identify and deal with strategic lawsuits, including a fast-track review process which requires that requests to dismiss must be heard by the court within 60 days.

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We have worked hard to develop a proposal that balances the protection of public participation and freedom

of expression with the protection of reputation and economic interests.

This legislation provides a made-in-Ontario solution based on the consensus recommendation of an expert advisory panel and extensive stakeholder consultation to provide a faster, more efficient civil process—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

### SOCIAL ENTERPRISE

**Mr. Bob Delaney:** This question is for the Minister of Economic Development and Trade. Minister, social entrepreneurship is a sustainable way to build a diverse and vibrant economy with opportunities for people of all abilities and backgrounds. The 2013-14 Ontario budget includes a strong plan to help people across the province, including the promotion of new and innovative business initiatives. In my reading of it, one of the key initiatives is promoting entrepreneurship and innovation, providing Ontario the ability to transform ideas into goods and services to compete in the global economy. This is especially important for businesses owned by women and young people, and particularly by new graduates.

Would the minister update this House on what the province is doing to assist social entrepreneurship?

**Hon. Eric Hoskins:** I thank the member from Mississauga–Streetsville for this question. Ontarians are global leaders when it comes to social enterprise. There are roughly 10,000 social enterprises currently operating in this province. For those who might not know what social enterprises are, they are both for-profit and not-for-profit entities that focus on pressing social issues and have as their aim community well-being.

To continue our commitment of supporting social enterprise in this province, last month we announced \$600,000 in support of a new Catapult Microloan Fund, a partnership between the Centre for Social Innovation and a large group of private-sector stakeholders. This investment is going to help kick-start promising social enterprises with funding opportunities and mentorship services. This collaboration between government, businesses and not-for-profits is the first of its kind.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Bob Delaney:** Young entrepreneurs, women and those new to Canada need those partnerships to be able to foster social enterprise in Ontario. Social entrepreneurs need access to the right funding opportunities. In fact, as we both know, there's no more fatal weakness for a new business than undercapitalization.

It's important that prosperous and fair societies can depend on a sustainable economy. Minister, please tell the House how pairing economic development and social impact will create economic and employment opportunities for young Ontarians.

**Hon. Eric Hoskins:** The Ontario government is focused on building both a prosperous economy and a fair society for all Ontarians. We believe that these two goals are not only complementary, but are interdepend-

ent. Many social entrepreneurs and innovative thinkers know that you can't have one without the other.

Our younger generations are poised to make a difference in the world. That's why the bridge to economic development for so many of them is guided by social impact for many young Ontarians.

Our government's mandate reflects this kind of social responsibility. We've committed \$295 million for our youth jobs strategy. Mr. Speaker, I think I'd be remiss if I didn't mention that of the 50,600 jobs created last month in this province, I'm proud to say that more than 20,000 of those are jobs for youth under the age of 25 years, dropping the unemployment rate by 1.1% for those same youth.

### DEVELOPMENTAL SERVICES

**Mrs. Christine Elliott:** My question is for the Premier. On May 16, my private member's resolution to establish a select committee to develop a comprehensive developmental services strategy was unanimously accepted in this Legislature, yet this committee has yet to be struck. There's every indication that both the Liberals and the third party are balking at this, despite the unanimous consent.

Premier, this is of huge importance to people across this province. They are counting on us to help them. Will you stand up today and agree, right here, right now, to establish this committee so that it can start its work immediately?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Premier?

**Hon. Kathleen O. Wynne:** Government House leader.

**Hon. John Milloy:** I certainly speak for members on this side of the House that we appreciated the motion that was brought forward and the member's commitment to issues around developmental services. I think the honourable member is aware that that motion, the follow-up to that motion, is a matter that is discussed between House leaders, and there is a process to examine those types of requests and move forward. I would advise her, obviously, to work with her House leader, but certainly myself and the other House leaders will be meeting hopefully later today and—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Renfrew will come to order; that's the last time I'm telling him.

Finish, please.

**Hon. John Milloy:** As I say, there is a process to examine these requests.

**The Speaker (Hon. Dave Levac):** Supplementary.

**Mrs. Christine Elliott:** With the greatest of respect to the House leader, that is complete and utter nonsense. This is not a partisan issue. This is not something that should be caught up with other House leaders' issues. This is vitally important to people, and you know and I know—everyone in this House knows—those people

desperately need our help. Do not do this. Please agree to strike this committee. We have spoken to the House leaders. This is nonsense. Do the right thing and establish this committee right now.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Government House leader.

**Hon. John Milloy:** As a former Minister of Community and Social Services, I can talk about our government's commitment to the developmental services sector—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order.

**Hon. John Milloy:** —I can talk about the significant investments that have been made by this government and I can talk about our most recent budget—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Prince Edward–Hastings, come to order, now. The member from Halton Hills, come to order. The member from Thornhill, come to order.

Last time, the member from Prince Edward–Hastings, come to order or you are warned. The member from Prince Edward–Hastings is warned.

Carry on.

**Hon. John Milloy:** I can talk about our most recent budget and the investment of, I believe, 42 million additional dollars in the developmental services sector, a vote which is going to happen tomorrow afternoon. When it comes to special committees of this Legislature, there is a process for House leaders to take a look at those—

*Interjections.*

**The Speaker (Hon. Dave Levac):** New question.

#### MUNICIPAL PLANNING

**Mr. Gilles Bisson:** My question is to the Minister of Transportation and Infrastructure. Minister, you will know, because I've talked to you on a number of occasions about this issue, the docks in Moosonee have been taken out of the river and they've been sold by the town of Moosonee. As a result of that, people have absolutely no way of being able to transfer from the water taxis on to the Moononee side of the river safely. I've talked to you about the possibility of the province taking over the responsibility to maintain those docks in an ongoing way, and I would like to know if I can have your assurance now because the municipal council is meeting tonight and they need to know from you if we're able to do this. If so, I think we can work this out.

**Hon. Glen R. Murray:** I want to thank the member opposite for his very hard work on this file. I'm in total agreement. We are trying to find money right now in the ministry; as you know, the budget is tight. This is not a huge amount of money but it's important. Any action by the town council to support this process to get the docks, which we have to retrieve, and to work with my ministry to do that would be most helpful, so I would strongly en-

courage them to support the initiative that you have been advocating.

**The Speaker (Hon. Dave Levac):** Thank you.

#### VISITORS

**The Speaker (Hon. Dave Levac):** Point of order from the Premier.

**Hon. Kathleen O. Wynne:** I'd just indulge the House—I'd like to introduce my mother, who is here, Pat Wynne, and my youngest sister, Marie Hodgson, and her friend Brenda Frey.

#### CORRECTION OF RECORD

**The Speaker (Hon. Dave Levac):** The member from Toronto–Danforth, on a point of order.

**Mr. Peter Tabuns:** On a point of order: I need to correct the record. Earlier today, I asked a question of the Premier. I referred to the justice committee when I should have referred to estimates committee.

**The Speaker (Hon. Dave Levac):** Thank you. The member is right with his point of order. All members have the right to correct their own record.

#### VISITOR

**The Speaker (Hon. Dave Levac):** Minister of Education, on a point of order.

**Hon. Liz Sandals:** On a point of order: This seems to be mother morning. The mother of my chief of staff is here today, and I would like to welcome Rosario Guaristi.

**The Speaker (Hon. Dave Levac):** There are no deferred votes. This House stands adjourned until 1 p.m.

*The House recessed from 1140 to 1300.*

#### MEMBERS' STATEMENTS

##### DR. LAURENCE HEWICK

**Mrs. Jane McKenna:** Over the past 13 years, Burlington's Golden Horseshoe Venture Forum has provided a unique forum for venture capital firms—176 so far—to present their companies to local investors and business service providers.

With innovation comes change. At a recent board meeting at the Golden Horseshoe Venture Forum, Dr. Laurence Hewick announced that he will be retiring as forum president at the end of this month. Dr. Hewick has served as Golden Horseshoe Venture Forum president for the past seven years and as a board member since the forum's founding in 2000.

Dr. Hewick is also president of Hewick Research, a new venture capital firm specializing in angel capital and strategic consulting. He has worked throughout Europe to establish centres of entrepreneurial excellence and is a

sought-after speaker on the topics of innovation and entrepreneurship.

In his work at the forum, Dr. Hewick has had a transformative impact on Burlington's business culture. His passion has helped forge dynamic relationships between ideas, people and investors and drawn in forward-looking sponsors like Deloitte, TD Bank Financial Group, RockLinc Investment Partners and Venture Accelerator Partners.

Congratulations to Dr. Hewick and all at the Golden Horseshoe Venture Forum, and best wishes for his bright business future in his next chapter.

### RECREATIONAL VEHICLES

**Mr. John Vanthof:** The all-terrain vehicle has become an integral part of life in rural and northern Ontario. The ATV is not only a work tool but is also used by many for recreational purposes.

In 2003, the Ontario government enacted legislation that allowed ATVs to drive on the shoulders of secondary provincial highways. This legislation has been very beneficial for residents of rural Ontario. Over the years, ATVs have evolved and many people now use UTVs instead. The main difference is that a utility vehicle has a steering wheel instead of handlebars and a bench seat instead of a seat straddling the gas tank. Many riders prefer UTVs because two people can ride comfortably on one machine. There is a problem, however. The legislation that allows ATVs to drive along provincial highways does not apply to UTVs.

People leaving home to get to bush trails are technically breaking the law. In many cases, police are turning a blind eye, but if there is a problem, someone will be caught in a bad situation. The same holds true for recreational vehicle rallies. Many participants use UTVs, which are legal on trails, but if the trail follows the shoulder of a road, they are not. This is causing confusion and potential problems.

It is time that the legislation governing the use of ATVs evolves along with the vehicle. There is currently a UTV pilot project in Quebec. Many workable stopgap measures have been suggested, like one-day permits for rallies or municipal control over their use, but the ideal solution would be to amend the provincial legislation so that both ATVs and UTVs are covered. I would urge the provincial government to work with us to reach that goal.

### SENIORS

**Mr. Bob Delaney:** Seniors are the fastest-growing demographic in our western Mississauga neighbourhoods of Lisgar, Meadowvale and Streetsville. For every senior alive today, when we, the baby-boom generation, are ourselves mostly seniors, there will be two seniors.

Modern medicine allows us to live longer and lead more active lives than our parents or grandparents could ever imagine. A key part of a fulfilling and happy retirement is the ability to live in comfort and dignity in one's own home as long as possible.

June is Seniors' Month in Ontario, a great time for seniors to celebrate their life, their achievements and their legacy. Our seniors have worked hard and continue to contribute to their families and to their communities.

In this spirit, Mississauga ward 9 councillor Pat Saito and I will host the 2013 Seniors' Info Fair. It will provide practical information on programs and services for seniors: health services, nutrition, at-home support for seniors, safety and much more.

The Seniors' Info Fair will take place this coming Friday, June 14, 2013, from 9 a.m. to 11 a.m. in the Village Room at the Meadowvale Community Centre, Glen Erin Drive, between Battleford Road and Aquitaine Avenue.

Come one, come all. We'll see you all at the seniors' fair this coming Friday.

### ROTARY CLUB OF COBOURG

**Mr. Rob E. Milligan:** I'm honoured to rise in the House today and recognize a Rotary Club in my riding of Northumberland-Quinte West that we are all very proud of. The Rotary Club of Cobourg was established in 1921 and has more than tripled its membership since then. It has the impressive distinction of being one of the most active Rotary Clubs in the country.

The Rotary Club of Cobourg, from its very inception, became instrumental in improving the lives of citizens in my riding. Cobourg Rotary is an integral part of the community and is engaged in everything from assisting the poor and homeless to helping troubled youth.

Some of the notable recent achievements of the Cobourg Rotary Club include collecting \$20,000 to give as a gift to the Crippled Children's Treatment Centre in Peterborough and responding with a \$15,000 donation to Cobourg's Transition House's urgent need to replace existing beds and mattresses.

In addition to this, they have continued funding a variety of post-secondary education programs and sponsoring local air cadet programs. The club has also given extensive financial support to several recreational centres in my riding.

One of the other achievements I would like to bring to the House's attention is the major project that Rotary International has been involved in. This is the global eradication of polio, spearheaded by Cobourg's own Dr. Robert Scott, who was recently honoured by Rotary International on his 80th birthday.

Thank you very much, Dr. Scott, for everything you've done, and thank you very much to the Rotary of Cobourg.

### NORTHWESTERN ONTARIO

**Ms. Sarah Campbell:** As you know, I'm honoured to represent the riding of Kenora-Rainy River. In the northwest, we have much to be proud of. Our pristine lakes, forests and green spaces are the envy of many. Each year, thousands of people travel to our region for

the opportunity to land the big fish or find the trophy buck that they'll talk about for the rest of their lives. Thousands more people take to our forests, streams, rivers and lakes to enjoy fresh-air activities such as camping, kayaking and hiking or to take in the northern lights.

The experiences are as diverse as our communities. Whether they're experiencing our rich culture at powwows across the northwest, celebrating the float planes that bring many to our region via Red Lake, enjoying the Bannock Bake-Off in Sioux Lookout—a personal favourite—taking part in the International Tug of War in Fort Frances, or taking in Harbourfest in Kenora, the Trout Forest Music Festival in Ear Falls, MooseFest in Dryden, Railroad Daze in Rainy River or White Otter Days in Ignace, or one of the dozens of other festivals throughout the region, northwestern Ontario has something for everyone, and our hospitality is second to none. It's why so many of my caucus colleagues constantly ask me, "When can we come up to your riding to do some great fishing?"

Speaker, we in the northwest are proud of what we have to offer, and I'd like to take this opportunity to formally invite everyone in this Legislature and across Ontario who might be watching this to come up to northwestern Ontario, experience it for themselves and see why those who come up once keep coming back.

#### 3018 ROYAL CANADIAN ARMY CADET CORPS

**Mr. Phil McNeely:** On June 2, I attended the annual ceremonial review of the 3018 Orléans Royal Canadian Army Cadets. This year's review also marked the 25th anniversary of the 3018, which formed on September 8, 1987.

Awards and medals were presented as part of the celebration. Recipients were Corporal Connor Shand; Master Corporal Emileigh Binet; Sergeant Colvin Gallant; Warrant Officer Leandro Limaylla-Abad; Sergeant Matthew Gadde; Warrant Officer Ibrahim Al-Obedy; Master Corporal Jean-Luc Masse; Master Corporal Natasha Beaudoin; Marksman of the Year, Warrant Officer Samantha Bonacci; Sergeant Kyle Horne; and Warrant Officer Marc-Andre Binette. I'm proud to say that most of these cadets are students at Ottawa-Orléans high schools.

The corps has come a long way in the past few years, increasing its strength from 30 cadets in 2008 to 140 cadets today. In attendance at the cadet review were all four of the regional expeditions.

This summer, 80 cadets will participate in summer training at training locations in Ontario, Quebec, Alberta and Yukon, and one lucky cadet will be travelling to Wales.

**1310**

Much of the credit goes to the commanding officer, Major Tim McKee, and the training officer, Captain Cindy McKee, for building up this excellent cadet unit.

The skills that cadets learn—teamwork, leadership, taking responsibility for others, self-discipline—will help them throughout their lives, whatever they decide to do.

I was proud to participate in the recognition of this excellent group of local cadets, and I want to take this opportunity to congratulate the cadet corps on their astonishing success over the past 25 years.

#### FIESTA WEEK

**Mr. Jerry J. Ouellette:** On Sunday, June 16, Father's Day, the community of Oshawa will kick off its 39th annual cultural festival known as Fiesta Week, with a parade of floats and marching bands, followed by the fiesta concert and six days of international pavilion displays.

Fiesta Week is best described as a taste of Durham, a week-long multicultural celebration that gives the residents of the region an opportunity to experience European, Asian and Caribbean cultures and foods without ever leaving our hometown.

In fact, Oshawa's Fiesta Week has been voted one of Ontario's top 100 festivals and events.

Fiesta Week brings the people of Oshawa together to celebrate and appreciate our city's rich multicultural heritage. It provides over 100,000 people with an occasion to examine our community's diverse culinary, dancing and musical talents from a wide variety of ethnic backgrounds.

Various cultural communities in Oshawa operate pavilions highlighting their respective cultures across the city, including Lviv, Dnipro, the Greek community, General Sikorski, Roma, Carib and Loreley, just to name a few.

The Oshawa Folk Arts Council is a voluntary, non-profit community organization that oversees all aspects of the annual Fiesta Week festivities. I'd like to personally thank and congratulate all the dedicated volunteers with the Oshawa Folk Arts Council who work diligently throughout the year to make Fiesta Week the great success it is. I am confident that 2013 will be no exception.

I would also like to thank all of the wonderful members of the cultural organizations for the many hours they contribute towards Fiesta Week.

Finally, I wish to invite all members of this House and everyone in Ontario to visit Oshawa and participate in one of Ontario's premier summer festivals, Fiesta Week.

#### ALL-INCLUSIVE PARTICIPATION PARTICIPATION INCLUSIVE

**Mr. Shafiq Qadri:** Speaker, from the heart, as the member of provincial Parliament for Etobicoke North, one of Canada's most diverse ridings, I was disheartened, discouraged and dismayed to learn that a young Canadian boy in Quebec is being asked to choose between playing the sport he loves—soccer—and his religious observances.



Despite various attempts at setting back the clock, Canada is still the most diverse country in the world. This is increasing daily, and it's something we are and should be proud of.

Members of the Sikh community are very prominent in my riding and have been part of Canada's collective history since the early 1900s. More than 50% of Sikh Canadians call Ontario home. The community has actively contributed in all spheres of endeavour, serving in all spheres of public life, from police forces including the RCMP, our Armed Forces, and, of course, right here in this Legislature.

I stand with the parents in my community who want all children in Canada to have an equal opportunity for physical activity and sports. Sports not only keep our children healthy and active, but also build leadership and team-building. We break barriers when children build a sense of community with each other at a young age.

The aspiration for all-inclusive participation, irrespective of labels or descriptors, is something that I know, trust and expect all members of this Ontario Legislature to share in this, the so-called 21st century. Canada's diversity is a source of strength and pride for all Canadians. All faiths and traditions deserve to be respected and understood.

La diversité du Canada est une source de fierté pour tous les Canadiens. Toutes les croyances et traditions méritent d'être respectées et comprises.

Danayvad. Thank you. Merci beaucoup.

#### AMYOTROPHIC LATERAL SCLEROSIS

**Mr. Randy Pettapiece:** In February, at the age of 66, Alf Groves passed away after a three-year battle with ALS, or Lou Gehrig's disease. Formerly known as amyotrophic lateral sclerosis, ALS is a progressive neurodegenerative disease that affects nerve cells in the brain and spinal cord. Every year more than 5,600 people are diagnosed with it. Alf was the husband of my sister Janet. He left behind three children and all his grandchildren.

Gary Fizell was a good friend of mine who died in 2009 after a 10-year battle with ALS. He was very active in our community and was a long-time coach of the Monkton Wildcats. When Gary's health declined, the community came to his aid, raising money for a new home that could accommodate Gary. To this day, the community holds a fundraiser for ALS research in his honour.

ALS has also claimed the lives of Monkton dairy farmer Bill Mann and Pat MacKenzie, a retired high school teacher from Acton. He was the father-in-law of a good friend of mine.

And so this disease is very personal to me.

ALS was in the news again just this weekend when we learned that it claimed the life of former US ambassador to Canada Paul Cellucci.

June is ALS month. Across the country, groups and individuals are raising awareness of this terrible disease. ALS Canada is supporting their efforts. Here in Ontario, our communities are responding, bringing comfort and

support to those who need it. In our towns and cities, people are responding to the need. I know all members will join me in thanking them. Through their efforts, we will find a cure. We must find a cure.

**The Speaker (Hon. Dave Levac):** I thank all members for their statements.

#### CORRECTION OF RECORD

**Mr. Paul Miller:** Point of order, Speaker: To correct my record, last Thursday I missed introducing Mia Van Wyck-Smart and Elizabeth Van Wyck, who were two of the supporters here for the successful second reading of Bill 71, the Protecting Child Performers Act.

**The Speaker (Hon. Dave Levac):** The member is correct on a point of order that all members have an opportunity to correct their own record. I appreciate that.

#### INTRODUCTION OF BILLS

##### TOWING INDUSTRY ACT, 2013

##### LOI DE 2013 SUR L'INDUSTRIE DU REMORQUAGE

Mr. Ouellette moved first reading of the following bill:

Bill 93, An Act to regulate the motor vehicle towing industry in Ontario / Projet de loi 93, Loi réglementant l'industrie du remorquage de véhicules automobiles en Ontario.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** The member for a short statement.

**Mr. Jerry J. Ouellette:** The bill amends the Highway Traffic Act and enacts the Towing Industry Act, 2013.

An amendment to the Highway Traffic Act requires tow trucks driven on highways to have speed-limiting systems that are activated and functioning in accordance with the regulations made under the act.

The Towing Industry Act, 2013, provides for self-regulation within the towing industry in the public interest, which is managed by a board of directors made up of operators of towing businesses and tow truck drivers, who must register with the council in order to carry on a towing business or operate a tow truck. At least 40% of the directors are appointed from outside the industry to ensure the public interest is represented. The activities of the council are funded through fees established by the board.

A complaints/discipline procedure is provided, and registered persons are held accountable in the way they are providing towing services. Neither the crown nor municipalities may retain the services of a tow truck driver unless the driver furnishes proof of his or her registration with the council.

It is an offence for an operator of a towing business or a tow truck driver to accept a referral fee from a person who works on or repairs vehicles.

The board of the council is provided with regulation-making powers that are subject to the approval of the Ministry of Government Services.

LABOUR RELATIONS  
AMENDMENT ACT (BARGAINING  
UNITS  
AND CERTIFICATION  
OF TRADE UNIONS), 2013  
LOI DE 2013 MODIFIANT LA LOI  
SUR LES RELATIONS DE TRAVAIL  
(UNITÉS DE NÉGOCIATION  
ET ACCRÉDITATION DES SYNDICATS)

Mr. McDonnell moved first reading of the following bill:

Bill 94, An Act to amend the Labour Relations Act, 1995 with respect to the determination of bargaining units and the certification of trade unions / Projet de loi 94, Loi modifiant la Loi de 1995 sur les relations de travail en ce qui concerne la détermination des unités de négociation et l'accréditation des syndicats.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** The member for a short statement.

**Mr. Jim McDonnell:** The bill amends the Labour Relations Act, 1995. A trade union is no longer required to include a written description of the proposed bargaining unit. The unit then consists of the whole payroll.

The Ontario Labour Relations Board is required to hold a hearing when determining the size of the bargaining unit and whether to direct a representative vote, and cannot certify a union unless a representative vote is held. If the board determines that the employer has interfered improperly with a trade union, it will trigger a representative vote. The time limit for a vote is extended to 10 days.

The bill transfers the burden of proof to the complainant in any Ontario Labour Relations Board hearing or proceeding and provides the right to appeal a decision to the board or Divisional Court.

**1320**

For construction bargaining units, the board is no longer permitted to refer to a geographic area and is not permitted to confine the unit to a particular work site or shift.

## MOTIONS

### APPOINTMENT OF AUDITOR GENERAL

**Hon. John Milloy:** Mr. Speaker, I seek unanimous consent to move a motion without notice concerning the appointment of the Auditor General.

**The Speaker (Hon. Dave Levac):** Mr. Milloy is seeking unanimous consent to move a motion. Agreed? Agreed.

Government House leader.

**Hon. John Milloy:** I move that an humble address be presented to the Lieutenant Governor in Council as follows:

“To the Lieutenant Governor in Council:

“We, Her Majesty’s most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Bonnie Lysyk as Auditor General for the province of Ontario, as provided in section 3 of the Auditor General Act, RSO, 1990, c.A35 to hold office under the terms and conditions of the said act, effective September 3, 2013.”;

And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

**The Speaker (Hon. Dave Levac):** Mr. Milloy moves an humble address be presented to the Lieutenant Governor in Council as follows:

“To the Lieutenant Governor in Council:

“We, Her Majesty’s most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Bonnie Lysyk as Auditor General for the province of Ontario, as provided in section 3 of the Auditor General Act, RSO, 1990, c.A35 to hold office under the terms and conditions of the said act, effective September 3, 2013.”;

And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

Do we agree? Agreed. Carried.

*Motion agreed to.*

## STATEMENTS BY THE MINISTRY AND RESPONSES

### PORTUGUESE HISTORY AND HERITAGE MONTH

**Hon. Charles Sousa:** As a Canadian of Portuguese descent, I am pleased to celebrate June as Portuguese History and Heritage Month here in Ontario.

June 10 is Portugal Day. It also commemorates O Dia de Camões and celebrates the diaspora of Portuguese communities around the world.

This day marks the anniversary of the great Portuguese poet Luis de Camões, who died June 10, 1580. Luis de Camões wrote about the many adventures of Portuguese explorers who navigated the globe and were among the first to reach North America. Since the 15th century, Portuguese ships travelled to Newfoundland and Labrador and fished off the Grand Banks.

This is also a special year that marks the diamond jubilee anniversary of official migration of Portuguese to Canada. Sixty years ago, a small group of Portuguese immigrants arrived, on May 13, 1953, at Pier 21 in Halifax to find contract work. They were put on rail cars

to the far reaches of the forests of BC and to the winter camps of Labrador. That initial arrival opened a wave of Portuguese workers and immigration into Canada. Hundreds of thousands of Portuguese sought opportunity, employment and a life free of political oppression.

Mr. Speaker, I'm proud to say that my father, Antonio Sousa, was one of those 69 men who arrived on that inaugural voyage, and he's here today in the members' gallery. My father is accompanied by my wife, Zenny, whose father came in 1956, also a pioneer in his own right during those years.

I'm very fortunate that my father chose Canada and I'm extremely grateful that Ontario accepted him. Today, more than 300,000 people of Portuguese descent live in Ontario.

Mr. Speaker, today Canada and Portugal share similar values that define our societies: freedom, human rights and democracy. Portuguese Canadians in Ontario have helped make our province culturally rich and more economically prosperous. Ontarians will be taking part in many events and festivals to mark Portuguese History and Heritage Month this June. This included the Portugal Day parade yesterday, on Sunday, June 9. I was pleased to be joined by many colleagues and the Premier at this event, which is one of the largest festivals in Toronto.

Ontario's diversity sets us apart in the world and makes it a place where people want to live, work and raise children.

Thank you to all and to everyone honouring the dynamic Portuguese diaspora of Ontario, and a special congratulations to the diamond jubilee pioneers as we raise the flag on the lawn of Queen's Park this afternoon in their honour.

Colleagues, on behalf of the Legislative Assembly of Ontario, we're pleased to join with the community in celebrating Portuguese History and Heritage Month here in Ontario. Thank you, and thank you, Mr. Sousa.

*Remarks in Portuguese.*

**The Speaker (Hon. Dave Levac):** Statements by ministries?

It is now time for responses.

**Mr. Ted Chudleigh:** I'm pleased to respond to the minister's comments, and I'd like to start by introducing Filomena da Silva, who is of Portuguese heritage. She is a stalwart of the PC support staff. When I first arrived here in 1995, Filomena was one of the first people to meet me. She sort of showed you the ropes as you got here, as to who you should know and who you should listen to, and, equally as important, who you shouldn't listen to. So thank you for that, Filomena; it's been a great 18 years.

It's my pleasure to rise this afternoon and respond to the minister's statement on Portuguese History and Heritage Month, as well as Portugal Day. Portugal Day is celebrated on the 10th of June each year by Portuguese citizens and emigrants throughout the world. The day commemorates the death of national literary icon Luís de Camões on June 10, 1580. Camões authored Portugal's national poem celebrating Portuguese history and

achievements, focusing mainly on the 16th-century Portuguese explorations which brought fame and fortune to the country.

Here in Toronto, over 300,000 Portuguese Canadians celebrate by holding a multitude of events. The week-long festival culminates with a Portugal Day parade on Dundas Street West and Little Portugal, where participants can be seen proudly waving flags, wearing traditional costumes, singing and dancing. The parade ends near Trinity Bellwoods Park, where concerts, cultural events and various other activities proceed to take place. The Portugal Day parade is Toronto's third-largest street festival. Given the good judgment and keen weather sense of the Portuguese, they held that parade yesterday, not today. The 2013 Portugal Day parade was held yesterday under beautiful sunny skies and attracted thousands of people. Mr. Gilberto Fernandes, director with the Portuguese Canadian History Project, describes the festival as a great opportunity for Portuguese immigrants and their descendants "to celebrate themselves, to replenish their sense of solidarity and identity and also introduce and display that identity in multiple ways to other Canadians." I couldn't agree with him more.

The long and proud tradition of hosting Portugal Day celebrations in Toronto dates back to 1966, when Father Alberto Cunha, then head of the Portuguese parish at St. Mary's Catholic Church, started the historic tradition. The celebration saw thousands of people congregate in the Canadian National Exhibition Coliseum, now the Ricoh Coliseum, on the CNE grounds. Since that time, commemorations have grown over the years to become the largest public gathering of Portuguese immigrants in Canada.

Mr. Speaker, although many of the events planned have already passed for this year, I'm pleased to mention that earlier today the Portuguese flag was raised at Toronto city hall, and in just a few minutes' time, the Portuguese flag will proudly fly on the front lawn here at Queen's Park. In addition, Portugal Week events will conclude on Saturday, June 15, at Downsview Park with a performance by Shawn Desman.

It's also important to note that this Legislature passed the Celebration of Portuguese Heritage Act back in 2001, which not only proclaimed June 10 as Portugal Day but also proclaimed the whole month of June as Portuguese History and Heritage Month. The act is very fitting and, when passed, marked the 500th anniversary of the arrival of Portuguese explorers in Canada, many of whom have since settled and made their homes in Canada.

Speaker, here in the official opposition, we are incredibly proud and honoured to pay tribute to the vast cultural, social and economic contributions that Portuguese Canadians have made to Ontario and to Canada. The spirit and values expressed by Portuguese Canadians is second to none, and has indeed enriched the quality of life in our province.

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On behalf of our leader, Tim Hudak, and the entire PC caucus, we are extremely pleased to recognize Portu-

guese History and Heritage Month, Portugal Day, and pay tribute to all Portuguese Canadians.

**Ms. Teresa J. Armstrong:** Bom dia a todos. Good afternoon, Mr. Speaker. Today we are here to celebrate Portugal Day, along with marking June as Portuguese Heritage Month.

I am proud of my Portuguese heritage, and it is important to me and my family to see our culture not just represented but celebrated. In my riding of London–Fanshawe, we have an incredibly strong Portuguese community, and I am so grateful to represent them as the member of provincial Parliament.

Portuguese Heritage Month celebrates the extraordinary contributions of more than 400,000 Portuguese Canadians, and approximately 282,000 of us live here in Ontario. This past weekend in London, I celebrated with my family, friends and my community, with our own traditional barbecue of chicken and sardines, a flag-raising ceremony, accordion playing, soccer games and folk dancing. Best of all, I was able to reconnect with my friends Tony Seara of the London Portugal News; Joe Tavares, president of the Portuguese Club; and Dominic Mendes, a long-time member of the Portuguese Club of London; and many other amazing people who make our Portuguese celebrations in London so friendly and inviting for everyone, regardless of their background.

Like many cultures, we struggle to keep our language and traditions alive and at the forefront for our children. There are more than 250 million Portuguese speakers worldwide, making it the fifth most-spoken language in the world, yet in Ontario, there are only 1,400 students who speak Portuguese as their mother tongue at home. This is why I'm so grateful for the work of the people like Tony, Joe and Dominic and others who help to make those connections for our children to our language and to our culture. For them, it's more than soccer games and barbecues, and we are indebted to the people who live that notion fully.

Mr. Speaker, my people have long been known as world explorers who travelled the globe and also regularly to Canada during the 15th and 16th centuries. However, it was back in May 1953 when large numbers of Portuguese from Azores and Madeira fled political conflict and came to settle into the downtown core of Canada's major cities like Toronto's Portugal village, represented by my colleague Jonah Schein, in Davenport, and Rosario Marchese, in Trinity–Spadina. These immigrants had something in common; they left their homes to pursue a better life for their families. They came and thrived and they helped make this province great.

Their influence continues to this day, with notable Portuguese Canadians rising up from their efforts: people like Paul Ferreira, New Democratic Party member of provincial Parliament, MPP, for York South–Weston from February 2007 to October 2007; Ana Lopes, chair of the Toronto Symphony Orchestra's board of directors, vice-chair of the CAMH Foundation's board of directors; and Anthony De Sa, a Canadian novelist and short story writer. His debut short story collection, *Barnacle Love*,

was a short-listed finalist for the 2008 Scotiabank Giller Prize and the 2009 Toronto Book Awards.

Mr. Speaker, today is Portugal Day, a day for celebrating another great Portuguese man who brought our history and culture alive through his words: Luís de Camões. Luis de Camões is considered Portugal's greatest poet. His works have been compared to that of Shakespeare, Virgil and Dante. He is best remembered for his epic work *The Lusiads*. This is the day that marks the day of his death, but we also choose to celebrate it as Portugal's national day, a day where we celebrate our unique contributions throughout the world and especially here in our new home.

## PETITIONS

### PHYSIOTHERAPY SERVICES

**Mr. Rob Leone:** “To the Legislative Assembly of Ontario:

“Whereas the Ministry of Health is planning on cutting physiotherapy services to seniors in long-term-care homes—from an estimated \$110 million to \$58.5 million; and

“Whereas with this change seniors will not receive the care they are currently entitled to through their current OHIP physiotherapy providers, who the government plans to delist from OHIP on August 1st, 2013; and

“Whereas the government has announced that the funding level, the number of treatments a resident could receive, has not been specified and will be reduced from a maximum of 150 visits/year to some unknown level, which means the hours of care and number of staff providing seniors with physiotherapy will also be significantly reduced as of August 1st, 2013; and

“Whereas our current OHIP physiotherapy providers have been providing seniors with individualized treatments for over 48 years, and these services have been proven to help seniors improve in their activities of daily living, mobility, pain and falls risk;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To review and reverse this drastic cut of OHIP physiotherapy services to seniors, our most vulnerable population, and to continue with \$110 million physiotherapy funding for seniors in long-term-care homes.”

*Interjection.*

**Mr. Rob Leone:** I recognize that the Minister of Health is heckling me during petitions. I'm pleased to sign these petitions and give them to page Alex.

### AUTOMOBILE INSURANCE

**Mr. Michael Prue:** I have a petition that reads as follows:

“Whereas Ontario also has the highest average premiums in Canada;

"Whereas auto insurance rates are regulated by the Ontario government through the Financial Services Commission of Ontario (FSCO);

"Whereas Ontario insurance reforms in 2010 are saving companies almost \$2 billion in the value of 'statutory' accident payouts each year but the government is still allowing companies to increase drivers' premiums;

"Whereas it is unfair for drivers to pay higher premiums when the industry is enjoying billions in savings each year;

"We, the undersigned, petition the Legislative Assembly as follows:

"That the government direct the Financial Services Commission of Ontario (FSCO) to bring the average Ontario auto insurance premium down by 15% by the end of 2013."

It is signed by hundreds of people in the Peterborough area, and I'm pleased to affix my signature thereto and send it down with page Jeffrey.

#### WIND TURBINES

**Mr. Bill Walker:** "To the Legislative Assembly of Ontario:

"Whereas residents of Ontario, mayors and councillors from more than 80 municipalities and Ontario's largest farm organizations and rural stakeholders, the Ontario Federation of Agriculture and the Christian Farmers Federation of Ontario, seek an immediate moratorium on new wind development until an independent and comprehensive health study has determined that turbine noise is safe to human health; and

"Whereas the provincial Liberal government's study back in 2011 failed to conclude anything more than that it needed to continue to study the turbine sound impacts; and

"Whereas the federal government is launching, through Health Canada, the first comprehensive study of health impacts of wind turbines;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liberal government follow the federal lead, accept the objective of the federal wind study, agree and accept that until the study is finished it will not approve any new wind turbine projects in Ontario, effective immediately."

I support this petition, will affix my name and send it with page Simon to the Clerks' desk. Thank you.

#### HIGHWAY IMPROVEMENT

**Mr. Michael Mantha:** I'm pleased to rise on behalf of the people of Algoma-Manitoulin, also throughout southern Ontario, who have benefited by having the Chi-Cheemaun run, to read:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation designates specific highways for upgrading and resurfacing;

"Whereas Highway 551 has been designated for resurfacing in 2013-2015;

"Whereas Highway 551 is a tourist cycling destination and lack of paved shoulders pose significant risk for users;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Transportation include paved shoulders in order to make Highway 551 safer for all road users and to promote cycling as a healthy and environmentally friendly activity."

I fully support this petition, and I will present it to page Alex to bring it down to the Clerks.

#### LYME DISEASE

**Mr. Robert Bailey:** This petition's to the Legislative Assembly of Ontario:

"Whereas the tick-borne illness known as chronic Lyme disease, which mimics many catastrophic illnesses such as multiple sclerosis, Crohn's, Alzheimer's, arthritic diabetes, depression, chronic fatigue and fibromyalgia, is increasingly endemic in Canada, but scientifically validated diagnostic tests and treatment choices are currently not available in Ontario, forcing patients to seek these in the USA and Europe;

"Whereas the Canadian Medical Association informed the public, governments and the medical profession in the May 30, 2000, edition of their professional journal that Lyme disease is endemic throughout Canada, particularly in southern Ontario;

"Whereas the Ontario public health system and the Ontario health insurance plan currently do not fund those specific tests that accurately serve the process of establishing a clinical diagnosis, but only recognize testing procedures known in the medical literature to provide false negatives at 45% to 95% of the time;

"We, the undersigned, petition the Legislative Assembly of Ontario to request the Minister of Health to direct that the Ontario public health system and OHIP include all currently available and scientifically verified tests for acute and chronic Lyme diagnosis, to do everything necessary to create public awareness of Lyme disease in Ontario, and to have internationally developed diagnostic and successful treatment protocols available to patients and physicians."

I agree with this petition, affix my signature and send it down with Jeffrey.

1340

#### CHILDREN'S AID SOCIETIES

**Ms. Teresa J. Armstrong:** "To the Legislative Assembly of Ontario:

"Whereas the Ontario government has approved a new funding formula within a fixed funding envelope for children's aid societies which are mandated by legislation to provide child protection services;

"Whereas this new 'fairer' funding model has resulted in a \$50.6-million funding shortfall for agencies across Ontario for 2013-14;

“Whereas due to inadequate funding and the introduction of ‘accountability measures’ which prevent agencies from running deficits, agencies will be forced to balance budgets by cutting staff and services;

“Whereas those services first cut will be services aimed at preventing abuse and neglect and supporting families, thereby allowing more families to remain intact and fewer children being brought into care, in addition to cuts to supports” for the foster family, “for foster parents, and other programs to support kids;

“Whereas chronic underfunding to the Highland Shores Children’s Aid Society will result in cuts to the services as a result of cuts to staff, thereby jeopardizing the ability of the agency to meet its mandate to protect children;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario government fund [the] \$50.6-million funding shortfall, fix the funding formula to ensure that agencies can maintain services including prevention services and put an immediate halt to staffing cuts that hurt services.”

I sign my name to this petition and give it to page Melanie to deliver.

#### WORKPLACE INSURANCE

**Mr. Jim McDonell:** “To the Legislative Assembly of Ontario:

“Whereas beginning 1 January 2013 WSIB was expanded to include groups of employers and principals who had previously been exempt from WSIB and had private insurance; and

“Whereas this new financial burden does nothing to improve worker safety and only drives up the cost of doing business in Ontario; and

“Whereas the chair of the WSIB—in committee meetings last year—admitted this will not help cover the accumulated WSIB debt, but” will only “make the problem worse by adding further liabilities;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To repeal the statutory obligations created by Bill 119.”

I will be signing this.

#### HIGHWAY 66

**Mr. John Vanthof:** “To the Legislative Assembly of Ontario:

“Whereas the Virginiatown residents that reside on 27th Street object to the proposed entrance identified for North Virginiatown in the realignment plans for Highway 66;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the main entrance to North Virginiatown be located on 25th Street since there is no residential activity and that the Minister of the Environment issue a part II (bump up) for this project.”

I fully agree, sign my signature and give it to page Jessica.

#### PHYSIOTHERAPY SERVICES

**Mr. Jerry J. Ouellette:** I have a petition to the Legislative Assembly of Ontario.

“Whereas the Ministry of Health is planning to delist OHIP physiotherapy clinics as of August 1st, 2013, which represents cuts in physiotherapy services to seniors, children and people with disabilities who currently receive care at designated OHIP physiotherapy clinics; and

“Whereas people who are currently eligible for OHIP physiotherapy treatments can receive 100 treatments per year plus an additional 50 treatments annually if medically necessary. The proposed change will reduce the number of allowable treatments to 12 per year; while enhancing geographical access is positive, the actual physiotherapy that any individual receives will be greatly reduced; and

“Whereas the current OHIP physiotherapy providers have been providing seniors, children and people with disabilities with individualized treatments for over 48 years, and these services have been proven to help improve function, mobility, activities of daily living, pain, and falls risk;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To review and reverse the decision to drastically cut OHIP physiotherapy services to our most vulnerable population—seniors, children and people with disabilities; and to maintain the policy that seniors, children and people with disabilities continue to receive up to 100 treatments per year at eligible clinics, with a mechanism to access an additional 50 treatments when medically necessary.”

I affix my signature in support.

#### DRUG PLANS

**Ms. Cheri DiNovo:** “Whereas the professional relationship a patient has with her or his pharmacist is fundamental to their care and patient choice underpins this relationship, drug plans that restrict this choice undermine this relationship and the patient care that is received;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The government of Ontario shall enact and enforce legislation that prohibits any and all parties from creating and facilitating in any way drug plans that restrict patient choice of the pharmacy and pharmacist that best meets their health care needs. This includes, but is not limited to, prohibiting drug plans that provide discriminatory levels and types of reimbursement to pharmacies and pharmacists within Ontario.”

I sign this and give it to Christine to be delivered to the table.

### LYME DISEASE

**Mr. Steve Clark:** “Whereas the tick-borne illness known as chronic Lyme disease, which mimics many catastrophic illnesses such as multiple sclerosis, Crohn’s, Alzheimer’s, arthritic diabetes, depression, chronic fatigue and fibromyalgia, is increasingly endemic in Canada, but scientifically validated diagnostic tests and treatment choices are currently not available in Ontario, forcing patients to seek these in the USA and Europe; and

“Whereas the Canadian Medical Association informed the public, governments and the medical profession in the May 30, 2000, edition of their professional journal that Lyme disease is endemic throughout Canada, particularly in southern Ontario; and

“Whereas the Ontario public health system and the Ontario health insurance plan currently do not fund those specific tests that accurately serve the process of establishing a clinical diagnosis, but only recognize testing procedures known in the medical literature to provide false negatives 45% to 95% of the time;

“We, the undersigned, petition the Legislative Assembly of Ontario to request the Minister of Health and Long-Term Care to direct that the Ontario public health system and OHIP include all currently available and scientifically verified tests for acute and chronic Lyme disease in Ontario and to have everything necessary to create public awareness of Lyme disease in Ontario, and to have internationally developed diagnostic and successful treatment protocols available to patients and physicians.”

I’m pleased to affix my name to the petition and send it to the table with page Hannah.

### CHILDREN’S AID SOCIETIES

**Mr. Taras Natyshak:** I’m pleased to present a petition on behalf of residents of Essex county that reads:

“To the Legislative Assembly of Ontario:

“Whereas the Ontario government has approved a new funding formula within a fixed funding envelope for children’s aid societies which are mandated by legislation to provide child protection services;

“Whereas this new ‘fairer’ funding model has resulted in a \$50.6-million funding shortfall for agencies across Ontario for 2013-14;

“Whereas due to inadequate funding and the introduction of ‘accountability measures’ which prevent agencies from running deficits, agencies will be forced to balance budgets by cutting staff and services;

“Whereas those services first cut will be services aimed at preventing abuse and neglect and supporting families, thereby allowing more families to remain intact and fewer children being brought into care, in addition to cuts to supports for foster parents, and other programs to support kids...;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario government fund \$50.6-million funding shortfall, fix the funding formula to ensure that

agencies can maintain services including prevention services and put an immediate halt to staffing cuts that hurt services.”

I agree with this petition, will affix my name to it and hand it to page Edgar to hand to the Clerk.

### PHYSIOTHERAPY SERVICES

**Mr. Toby Barrett:** This petition is titled “Restore Physiotherapy Services.”

“To the Legislative Assembly of Ontario:

“Whereas the Ministry of Health has eliminated non-hospital physiotherapy service from the Health Insurance Act; and

“Whereas this will drastically reduce the number of allowable treatments to 12 per year for people who are currently eligible for 100 treatments annually; and

“Whereas under the changes scheduled for August 1, the cost of visits under the CCAC (community care access centre) model will rise to \$120 per visit, rather than the current fee of \$12.20 per visit through OHIP physiotherapy providers; and

“Whereas funding for physiotherapy services to seniors in long-term-care homes would be cut by almost 50%, from an estimated \$110 million per year to \$58.5 million per year; and

“Whereas the removal of all non-hospital OHIP coverage for physiotherapy services in the community will contribute to a decline in overall health and independence for seniors, children under 19, ODSP recipients and post-hospital surgery patients;

“We, the undersigned, petition the Parliament of Ontario as follows:

“That the delisting of OHIP physiotherapy clinics as of August 1st not proceed and that the provincial government guarantee there will be no reduction in services currently available for seniors, children and youths, people with disabilities and all those who are currently eligible for OHIP-funded physiotherapy.”

I agree with this and sign it.

**The Acting Speaker (Mr. Ted Arnott):** The time available for petitions has expired, and I’m sorry I wasn’t able to recognize everyone who brought a petition this afternoon.

1350

### ORDERS OF THE DAY

#### STRONGER PROTECTION FOR ONTARIO CONSUMERS ACT, 2013

#### LOI DE 2013 RENFORÇANT LA PROTECTION DU CONSOMMATEUR ONTARIEN

Resuming the debate adjourned on June 6, 2013, on the motion for second reading of the following bill:

Bill 55, An Act to amend the Collection Agencies Act, the Consumer Protection Act, 2002 and the Real Estate

and Business Brokers Act, 2002 and to make consequential amendments to other Acts / *Projet de loi 55, Loi modifiant la Loi sur les agences de recouvrement, la Loi de 2002 sur la protection du consommateur et la Loi de 2002 sur le courtage commercial et immobilier et apportant des modifications corrélatives à d'autres lois.*

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Jeff Yurek:** I'm pleased to rise and speak to Bill 55. I've been trying to get up and speak for the last couple of weeks, but I seem to run out of time before I get going.

There are three sections of this bill: the Collection Agencies Act, Consumer Protection Act, and Real Estate and Business Brokers Act. I think most of my comments will be on number two, the Consumer Protection Act, with regard to the sale of water heaters and giving that 20-day cooling-off period.

I do agree that there's something wrong in the system that we need to take a look at, because if you look at most of our constituency offices, particularly mine, a number of calls coming through my office do in fact deal with people who have had trouble signing contracts at the door, in particular with water heaters, and then asking us to help remedy the situation.

I brought two cases that were in my office that I thought I'd just read about that are pretty interesting. One is Mr. X. I'll use the name X because I wouldn't want to use the real name. He'd like us to look into consumer issues with a particular company that was selling door to door. He says a rep came to his house telling him his water heater had to be replaced and that the current one was running through the flue but had to actually go through the chimney. He thought that he could just purchase the tank outright, but the rep went on to tell him about replacing the doors and windows to be more energy-efficient and that that would get him a return from the government for the investment.

When he replaced the doors and windows, he did receive a rebate of \$4,800, which he tried to apply to the water tank purchase. The company then told him that he had to rent the tank for seven years at a cost of \$139.99 a month and could purchase it at the end for \$6,400, and that it could not be removed from the home because of depreciation. They recently told them it was \$9,800. He asks, how does a heater cost up to \$20,000 by the end of a seven-year term? He doesn't think it's right.

Another constituent of mine contacted—her mother had somebody at the door calling her. She has early-stage dementia, and before she knew it she had signed off on the contract.

So I think it's particularly important that we do have this cooling-off period between 20 days, but I think the bill kind of missed the mark in the fact that we need to look at how they cancel the bill. What steps do they have to take to actually call and get someone on the phone to cancel the bill? Many of these clients have called the businesses to lodge a complaint or to try to terminate the contract and failed on all occasions because so many

roadblocks had been put up in trying to cancel the contract. So I think this bill would have helped consumers a lot better if the government took action to somehow make it easier for someone to cancel the contract instead of having to go through the various phone calls or letters to be sent in order to cancel the contract.

I spoke in a two-minute hit on this earlier. I mentioned the problem that I had cancelling my Bell TV contract when I had decided their services were no longer necessary in my house, and the fact that it took hours upon hours to actually get hold of someone, before they threw me all this information of extras, trying to keep me. I finally had to say, "No, enough is enough." But I don't think we need to be dealing with going through the hoops.

Somebody who signed a water heater contract, say, who maybe had dementia—for them, given the fact of having to make all those phone calls and trying their hardest, they're most likely going to give up and just end up paying the bill. I think this is where this bill should have focused upon.

The other thing that would have made it easier is the enforcement of this bill. I don't know how you're going to have enforcement officers roaming the streets to ensure that these people aren't knocking door to door to sign off the contracts. In fact, we could probably have an easier enforcement if we were monitoring the companies and how they respond to a cancelling of these bills.

So I think it's very, very important that the government takes a look at this in committee when it reaches there and decides how we can actually look at helping people cancel their contract after 20 days.

The other part in this bill: It mentions "direct agreement that requires the supplier to supply to the consumer a water heater or other goods or services that are prescribed" by the regulations. I'd like to know what those other goods or services are. I know they're picking on water heater sales at this point but, I mean, we've had talk about vacuum sales—I don't think there's many going on any more—encyclopedia sales. We've got charities coming to the door. We've got Girl Guides. How far is this going to go with sales and not allowing people to go door to door, period? I don't know if that's the answer this Legislature wants to go, but I think that might be overshooting the goal.

The other point in here is that it also says the supplier can't really supply the goods or service until that 20-day period is over, which brings to mind: What if your water heater died? You've had it in your house and you don't want to buy a new one; you'd rather go to a rental system. Is there a place in this legislation that will allow them to override that 20-day waiting period, or do they have to go without hot water per se? I'd like that to be spelled out a little more in committee or in further debate as it comes up in this Legislature. I'm hoping there is some wiggle room in this bill so that we can deal with the little hiccups that occur in our day-to-day situations.

I'd like to just note that if this comes down to customer service—and I think that's what we in this



Legislature should be promoting throughout all business in Ontario. We seem to have stepped away from customer service, the old days of ma-and-pa shops out there that survived on customer service alone and not just basically on price. I think that maybe we need to somehow exemplify through the Ministry of Consumer Services promoting the fact that people should be looking at where the customer service comes from instead of just going with the lowest-cost provider when dealing with their personal purchases.

I come from an independent pharmacy, and I can tell you that the hardest thing we can do is compete on price with the big Shoppers Drug Marts, Walmarts etc. Our whole focus, which is something my father started 50 years ago this year—he opened up the pharmacy in September 1963, and we've lasted 50 years, a testament to his complete focus on customer service. I think that is tremendous in this day. His focus has always been on customer service, and he definitely put that into my brother and I growing up and working at the pharmacy, and all my brothers and sisters, really. Price does matter, but customer service matters more, and if you can keep your focus on that, you can keep your business open.

I think this would be an opportunity, maybe, for the government to go hand in hand with some sort of promotion of the fact that the people of Ontario should be focusing on what services they get from these businesses that are coming door to door—the fact that we will help them cancel their contracts, but really look at what you get at the end of the day and what services you can really focus on.

I'm glad that I'm up here speaking on this bill. As I said before, the Consumer Protection Act part of it is a paragraph long focusing about water heaters, but there are a couple spots that I think they need to look at. As I said before, how do they cancel the contract once they get there? How hard is it going to be for them to actually dial up or call someone or write to someone in order to cancel the contract? What happens if there's an emergency and they need immediate installation of the hot water tank, and what provisions are in place for the removal of the hot water tank? I'm sure that's spelled out in the contract.

As the member from Oxford stated before, he had a heck of a time getting rid of his hot water tank because they didn't really want to come and take it away. They had him take it apart, he had to disconnect it—they let him do all the work—and then just told him, "Could you dispose of it yourself as well?" I think that at the same time, when people are looking at the customer service aspect of it, they should look at the end the contract: How is that water tank removed and taken for disposal?

Mr. Speaker, I'd just like to wrap up. I'll be more than glad to speak on the other two parts of the bill and have a discussion at committee. Hopefully it goes to the general government committee where I sit, and we can have a good discussion with regard to the Collection Agencies Act, which, due to the way this economy has headed in the past 10 years and the fact that more people are having

to go to these agencies to get their cheques cashed or to get ahead a little bit before the bills come crushing down on them, and also the Real Estate and Business Brokers Act, which is always excellent to ensure—the member from Prince Edward–Hastings passed his bill regarding electronic signatures for real estate transactions. I think that's a step into the 21st century for this government, and I'm glad that a member of our party brought that forward to make that change. I think this little bit here, knowing the history of how many offers have come forward on your property, is very good.

I'm going to have a quick sit and listen to the two-minute hits, and come back in a few minutes.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

1400

**Mr. Paul Miller:** I was listening intently to the member from Elgin–Middlesex–London. He made some good points.

Speaker, actually about two years ago, I had the pleasure of meeting one of those door-to-door salespersons. Unfortunately, I think he picked the wrong door. He came to my door, and he started his pitch—a young man, very aggressive. His identification that he was showing was murky at best. I couldn't really make it out. I'm not sure whether he was with Reliance or one of those. I don't know who he was with.

He said, "Sir, I want to see your hydro and heat bills." I said, "What for? What do you want to see that for? Are you going to pay it for me?" And he said, "No, I want to compare your rate to our offer." I said, "Well, first of all, I don't know what your offer is." Personally, I don't give my bills to anybody to look at except me. I said, "You can tell me what your offer is without looking at my bill."

He didn't really want to do that, but finally, he came out with his little presentation, and of course, I kind of sliced and diced it like a Veg-O-Matic. It didn't really make sense. Whatever I would say, if it countered what he was saying, he would twist it and adapt very quickly. So I'm sure that they take training lessons to deal with difficult consumers at the door. I certainly was not giving him an easy ride.

It got to the point where he said to me, "Well, you know, you don't know what you're doing"—like he's actually insulting the consumer. I'm saying, "Well, this isn't a very good presentation at the door. You're telling me I don't know what I'm doing or I don't know what I'm talking about, and you do?" I said, "Where do you come to that conclusion?"

He became a little bit argumentative, and I said, "My friend, do you see the end of the driveway? You'd better start heading that way because I've had enough." This guy was so aggressive that I actually phoned and reported him, and they had had about 40 complaints that week about the same guy. Now I can just imagine if it was a senior, that they would have been intimidated, and what they would've had to go through—terrible stuff.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Shafiq Qaadri:** Thank you, Mr. Speaker, for an opportunity and responsibility to speak about Bill 55, the Stronger Protection for Ontario Consumers Act. I of course commend my fellow health care worker, a pharmacist, the MPP for Elgin–Middlesex–London. I cannot resist but saying, “Alas, poor Yurek! I knew him well.”

In any case, Speaker, I think what he’s highlighted, particularly about these aggressive sales tactics at the door with reference to the water heater issue, has been specifically addressed within this Ontario consumers act, the proposals that we’re bringing forward. I’ll just detail some of them; for example, requiring plain language disclosure of consumer rights and key terms—although I think all of us probably notice the challenge of this oxymoron, plain language, in any kind of a contract. We’re going to prohibit delivery of the various services that are offered to add a 20-day cooling-off period, which probably the gun industry should also take note of. It provides stronger consumer remedies when these rules are breached. There should be some kind of—whether it’s judicial or some kind of complaints process, perhaps through the Consumer Protection Act itself—as well as requiring mandatory recorded verification of calls, of the key terms in contracts.

I think all members of the Legislature know—and of course, in his inimitable way our member for Hamilton East–Stoney Creek, who provided first-hand knowledge of his experience—that there are aggressive sales tactics that are going on. There are exploitive practices for those individuals who, first of all, may not have English or education at a certain level to be able to deal with these kinds of tactics; for example, older folks in my riding. It’s almost like they’re attempting to please the person who comes to the door. Of course that can, once signed on the dotted line, lead to a lot of heartache and financial costs over the future.

So let’s support this bill.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Bill Walker:** It’s my pleasure to speak to the remarks that my colleague from Elgin–Middlesex–London made. I think he said a lot when he said 50 years in the pharmacy business that his dad had started, Yurek Pharmacy—and him and his brother Peter continuing on that proud tradition. I think pharmacists are one of the most trusted professionals that we have in our country and in the world, Mr. Speaker. I think if people just followed their act more, we wouldn’t need things like the Consumer Protection Act, but unfortunately there are those unscrupulous people who put a lot pressure on at the front door. That, again, is typically to our seniors, who are intimidated very easily and, unfortunately, sign on the dotted line without really knowing what they’ve got themselves into.

We believe that this bill has kind of gone forward in the right intent. It has the right spirit of intent. We do not condone and certainly will not support high-pressure sales tactics. Our critic the member from Stormont–Dundas–South Glengarry has also stepped up and apprised us of that.

We’ll be supporting, I think generally, this bill. But what we want to do is get to committee. It has kind of gone halfway in a lot of the measures they’ve taken. They really haven’t addressed some of the areas that we think they could have, and that’s typical of many of the things I’ve seen here in my year and a half. They kind of trot out an idea because it sounds good in public. It sounds good in a 30-second sound bite, but when you actually start reading the details—

**Interjection:** Window dressing.

**Mr. Bill Walker:** Window dressing is absolutely correct—they’ve missed the boat on a number of things, or they haven’t gone far enough to truly do them. They make it sound like they’re solving the issue, but they really haven’t.

We definitely want that to get to committee. We want to ensure that the public has confidence. If the public does not have confidence in something they’re buying, they typically won’t buy it. Then it’s a set downward spiral, and Lord knows our economy right now is in a shambles due to mismanagement over the last nine years of this Liberal government and the debt that they’ve put us into. We need the confidence of the consumers to get our market going, to ensure that those 600,000 people who they have allowed to be unemployed come back to work so they can again contribute effectively to our economy.

This bill is one that is a step in the right direction. Like many of their efforts, it’s a step, but there’s a lot more steps to do. We’d like to get it to committee and be able to help them make it a strong bill.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Taras Natyshak:** I’m pleased to add to the comments presented by the member for Elgin–Middlesex–London, and I’m also pleased to commend the Minister of Consumer Services. I do respect her work. I applaud the fact that she has made these first steps in her inaugural role as the minister.

We all recognize that these are the types of problems that come into our office quite often, when it comes to high-pressure sales tactics and areas of sales that really aren’t regulated. What does strike me as interesting is that we hear from the official opposition that they’re considering actually exploring some measures of regulation; whereas we hear in their various white papers and, ultimately, their ideological narrative that they are anti-regulation in all formats. So I’m interested to see exactly what it is that they want to regulate on the free market.

What we’re talking about is unfettered free-market capitalist agendas, ones that say, “Here’s the product. We’re going to sell it to you. We’re going to sell it to you, shift it in all ways, in all mechanisms. It doesn’t matter who gets hurt in the process.” As New Democrats, we certainly recognize that there is a need for regulations, whether it be in water heaters, in financial institutions or in lending institutions, and ones that require us to do our due diligence as members in this House to provide oversight, scrutinize the current regulations and impose new regulations where they are warranted.

I am pleased to talk about this, not as an offence to the free market but as an addition to those companies that actually are providing good services, such as the one that the member operates as a pharmacist. I'm proud to announce that my wife is a fifth-generation business owner: 83 years in the car sales industry. They've done things the right way and have succeeded because they've taken a really clean approach to those types of transactions. They're heavily regulated. I'm certain we can find some areas where we can regulate these types of industries.

**The Acting Speaker (Mr. Ted Arnott):** I return to the member for Elgin–Middlesex–London, who has two minutes.

**Mr. Jeff Yurek:** I'd like to thank the member from Hamilton East–Stoney Creek, the member from Etobicoke North, Bruce–Grey–Owen Sound and, of course, the member for Essex.

I have to say, Speaker, I don't know what's going on here today, but there's a heck of a lot of Shakespeare in this House from question period and this afternoon.

**Mr. Robert Bailey:** You protest too much.

**Mr. Jeff Yurek:** Yes, I protest too much. Thanks.

Anyways, I'd just like to reiterate what has been said earlier. I think the key is to ensure that, when people want to cancel their contracts, not only do they have the 20-day period to cancel it but also that they actually are able to call and not get frustrated and give up or have to come and protest at the MPP's office. My office—and all our offices, I'm sure—will continue to advocate for our constituents, but I think this is a fix that the government can help with and ensure that that's less likely to occur.

I'd also like to talk about the bills, someone knocking on your door and asking for your bill. Just remember, everybody watching at home, that you don't have to show anybody at your door anything that's personally yours, no matter how they ask for it or say they'll give you a deal. The best bet is if they're asking for something and you didn't invite them to your house, then show them the door. Get a phone number and call and speak to somebody else on the phone. Or go to a shop where they're located and have a one-on-one discussion. I wouldn't share anything at the door.

1410

I got a text while people were talking here. Somebody offered that maybe we should look at giving the constituents of our ridings a 20-day cool-off period after they elect someone just to ensure they've made the right decision. So maybe that's somewhere down the road; we could take a look at if they've made that decision—if we elect someone in and they perhaps say they're going to start a health tax even though they promised not to do so, we'd have that chance to say, no, we're not going to allow that.

Sorry, I got off topic there, Speaker, I think, for everybody listening to my remarks. I appreciate the member from Haldimand–Norfolk, who will probably be up next.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Paul Miller:** I just want to start off by saying that I can't tell you how many complaints I've had in my office in the last five to six years about this situation, about door-to-door people getting people to sign up to these contracts. They get tied in, but the key to this is trying to get out of it. They ignore registered letters. They ignore phone calls. Actually, one of my neighbours got involved, and it took him a year and a half to get out of it. How did they get out of it? They finally had to go to their MPP and MP to get a direct letter sent to threaten to take their licence away if they didn't comply with the answer of the consumer, and finally they did. But that's pretty sad, because a lot of people that get into these situations are overwhelmed, very upset. It's costing them a lot of money and they don't know where to turn. So it's really unscrupulous of these outfits to do that type of consumer relationship.

Certainly protection is long overdue. The first real stories that came to my attention were about the aggressive door-to-door people, the resellers. Now, hot on their heels we have the water heater salespeople. This has become so upsetting for people that I know of one taxpayers' group that sends out emails and e-alerts to their membership as soon as the first one of these salespeople comes on their radar or into their community. The ratepayers are encouraged to tell their neighbours, especially seniors, that they do not and should not let any of these door-to-door salespeople into their house, and not to give them any information at all about anything, no matter how nice they may seem.

I know that energy resellers basically demanded to see the monthly statements for hydro and gas, with some actually keeping the statements. In my case, they actually demanded to see mine and they didn't make out too well. This provided the reseller with lots of personal account and payment plan information, giving them enough, possibly, to create false accounts or whatever other unsavoury purpose the information could be used for.

It's bad enough that these salespeople are aggressive toward our most vulnerable citizens, but they appear to make it up as they go. They create stories to convince the consumer as they go. Pretty scary stuff, Speaker. Tactics extract the most information they can from the homeowner; they then turn that back into their sales pitch. They often word their pitch so that one would assume that they are employed or represent the local hydro or gas company, or even the municipality. Then they gain access to the home. The deceit about the hot water heater is bad enough, but then what other information do they get while in the house? How much more vulnerable does a senior become once these people gain their trust and actually get inside their home?

We need to find ways to educate our constituents on how to deal with these door-to-door salespeople. We need to get this information to every household and be sure that it is fully understood. For the energy resellers, one person suggested that a sticker be issued by the Ontario Energy Board or other such body that could be dated and fixed on the front door stating the contract

signed after the date on the sticker will automatically be void. This would work most often for children who care for their elderly parents who do not live with them, at least providing some sort of warning to keep these resellers away from their parents.

But what we can do and must do, first, is establish a consumer advocate office with enough teeth to be able to get real control of the Wild West door-to-door sales of hot water heaters, energy or other such necessities.

Some of the measures suggested in the bill look good on paper, but it's practical application where the difficulties can arise. For example, if a senior has been taken by a salesperson, they may be very embarrassed about it, and rather than tell someone, they just suffer through their error and the contract, which could bring them to severe financial distress. So even a longer cooling-off period might not be enough in situations like that. We should consider a mechanism that kicks in when someone in the family, the MPP or, for that matter, the consumer advocate becomes aware of these types of situations. And the penalties for those who have misled consumers and sold them a new hot water heater, new energy contract or whatever should be significant, not only for the salesperson but for the company they propose to represent. We should have the ability to require that all the personal information that a salesperson or the company they work for has obtained about a consumer is completely removed from their records.

Another area where our most vulnerable get duped is in debt settlement. There are bona fide trustees who deal with severe financial difficulties and who are regulated. The debt settlement group appear to operate without set rules and certainly without proper fee structures. They offer to dramatically reduce a person's debt by negotiating with their creditors but demand that the consumer pay a hefty upfront fee. Often, the result of this transaction is that the debt is not satisfactorily settled, and the consumer is paying even more in upfront fees and now new administration fees to the settlement firm as well. This is just bad behaviour, and it should be unlawful. Often, those who seek this kind of intervention in their financial matters are close to the edge of bankruptcy and financial ruin. They are vulnerable, Speaker. They turn to debt settlement companies to help them get back on their feet and to help them regain financial security, and what do they get? What looks like a legal scam. How can this not already have been made illegal?

It reminds me of a mall gift card scenario. In this one, the full value of the card is good for 14 to 16 months after the purchase date. Then the administration fees begin reducing the value of the gift card each month until there's nothing left. Other gift cards apparently have no expiry date. Are they devalued by the same administration fee scam? We don't know. Why would this be acceptable in Ontario?

Bill 55 proposes to prohibit payment of upfront fees, those charged before services are provided, and to limit the amount of fees charged overall. Both of these limits could be set by regulation.

It would also allow debtors to cancel their agreement without giving a reason within 10 days after receiving a copy of the agreement and it would prohibit misleading sales practices and advertising. The problem is when it takes longer than 10 days for a consumer or their family to realize that they need to cancel this agreement. In the case of those in the care of family, they may not have let their family know of their crisis within the time frame set out. Perhaps wording that sets out the 10 days as starting when a family member, MPP or consumer advocate becomes aware of the contract would better protect the consumer.

The real estate transactions that are mentioned in this bill would allow real estate agents to charge both flat fees and commissions. It would require that the representatives of buyers must put all offers in writing. Bill 55 also would require brokerages acting on behalf of the seller to retain copies of all written offers related to the sale and purchase of a property. I can't believe that this isn't already the case, but I guess it isn't.

Then, to make Ontario consistent with the rest of Canada and to comply with the recommendations of the Competition Bureau, the bill would remove the ban on charging both fees and commissions. The full impact of that will need to be thoroughly discussed before I personally am comfortable with it.

The needs of the consumer must be paramount in any change of this nature, and the consumer must be fully informed of this change and how it impacts their transactions.

The changes set out in Bill 55 are very small steps that seem to be going in the right direction, but we really need to hear from consumers and experts in these fields to get a good handle on whether they are good enough at all. We need a strong consumer advocate office. Full information about that office and other avenues for consumers to follow for dispute resolution must be handed to each consumer before any transaction has started. That would require the debt settlement agents to give and explain an information sheet about the consumer advocate, the local MPP and a local legal aid clinic to each consumer before they have any discussions and before they start. The debt settlement agents, real estate agents and hot water heater energy resellers and any other like persons would be equally required to give a consumer this type of information first before they do anything.

I would require, in cases where it's clear that a consumer doesn't fully understand the obligations in any of these scenarios, that the agent, reseller or other seller must first refer the person to the advocate, MPP or legal aid clinic. In this way, there's at least cost-free places for these vulnerable Ontarians to have an assessment of their situation—

*Interjection.*

**Mr. Paul Miller:** It's really good, Speaker. My own caucus talks when I'm talking. That's really good.

Requiring these agents to take the first—

*Interjection.*

**Mr. Paul Miller:** The worst is Mr. Bisson, by the way.

**The Acting Speaker (Mr. Ted Arnott):** I'm going to have to call the New Democrat members to order.

I return to the member for Hamilton East–Stoney Creek.

**Mr. Paul Miller:** Requiring these agents to take the first proactive—

*Interjection.*

**Mr. Paul Miller:** I think I'm going to let Mr. Bisson finish my 10 minutes because he seems to be talking more than me.

I might as well close it up because we're not getting too far here with the noise. In closing, Speaker, I'd just like to say it's time we stop letting people rip off the people of this province and we stood up for them. It's time that we start protecting consumers, because they're the people who are the engine of this province, and we certainly don't want any of the oil spilling out in some unscrupulous manner.

1420

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Madeleine Meilleur:** I don't think you will be surprised, but I agree totally with my friend from Hamilton East–Stoney Creek. He said it very clearly, that our most vulnerable people and not-so-vulnerable people who have been taken in by these door-to-door sellers—we should put a stop to it.

I continue to hear people, especially those seniors who are calling my office, asking for help because they have been put in such a situation. We need to help those people. Any one of us—because you've heard me talking about my own experience when someone wants me to register in their buy cheap energy program, which is not buy cheap. But people are embarrassed to talk about it because they're embarrassed to say that they were taken for a ride by these people.

When this bill passes, we will better protect the consumer from high-pressure door-to-door sales of installed items, such as water heaters; better protect our vulnerable consumers from predatory debt settlement services; and improve the rules to protect buyers and sellers of real estate. I encourage everyone here in the House to support it, to make sure that it goes before committee. If it needs improvement at committee, please do it, but this has to move forward.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bill Walker:** I must commend you, Speaker. I think it's the first time in the House that I've been here when you've had to admonish members of the member who was speaking. The member from Hamilton East–Stoney Creek—his own members were heckling so loudly that they actually distracted him from sharing what I think was some very valuable information, and it was actually a bit disrespectful. The members from Essex and Timmins did show a bit of disrespect to their own member, and that's unfortunate, because we're talking about consumers, and the people at home probably wanted to hear what the member had to say.

What he was trying to say, when he was so rudely interrupted by those members, was that he's concerned about the most vulnerable people in society being taken advantage of by unscrupulous salespeople with high-pressure tactics at the door.

I applaud the member who introduced this bill. They've put in there a cooling-off period, which I think is appropriate. No one should have to sign, then regret that and live through the concerns and challenges that may arise from that. The one concern I have, or at least one of the concerns I have, is there's no recourse when someone has done that and signed off in this bill. It's kind of a half-measure bill. They had good intent at the start of the process, but they certainly didn't finalize and put some real standard pieces in there that I think they could have.

They've suggested that in real estate, there have to be written offers. Again I think that's good, because that will hopefully stop the practice that has happened in the past of people jacking up the price by saying there's another offer, so we'll have to see that. But again, in many of these cases, what we need to do is make it more wholesome. We need to ensure that there are actual actions in the bill that will allow recourse for these still-unscrupulous practices.

We need to ensure that, at the end of the day, we put confidence back in the consumer. This government has had a huge, terrible run over the last nine years that has put our finances in dire straits. They've doubled the debt. The consumer out there is already shaky. They've lost trust in the government. They've lost integrity and credibility with the public. Speaker, a bill like this is a small step forward to try to bring some of that confidence back, but if they just stopped the scandals and if they'd step up and actually own up to those scandals, I think the consumer would have a lot more confidence at that point. This bill will be a step, but we need to improve it in committee.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Cheri DiNovo:** It's a pleasure to stand for the people of this province and to comment on our party member from Hamilton East–Stoney Creek and his comments. He was, of course, correct: We are supporting this bill. He was also correct in saying that it's a very small step forward, as were others around the House, and that the bill needs to be strengthened and it needs to be strengthened at committee. So I look forward to the discussion there.

One glaring omission that should have been part of this bill, it seems to me—because it does open up some acts—is protection for those who are preyed upon by payday lenders. We've had an explosion of payday lenders across our province and across our city. Nobody wants to see a payday lender open in their neighbourhood, and yet almost every neighbourhood has them now.

The average rate of real interest they charge is over 500%. This used to be illegal. It used to be illegal. Then the federal government downloaded this practice to the

provinces. It used to be that anything over 60% was considered usury. Well, this is usury by any measure, and yet it's completely legal in our province. It's not legal in Quebec. We should have a top on how much interest can be charged, because once you borrow money, if you do not pay it back on the second, you are doomed. Of course, the people who use payday lenders are the most vulnerable of all people.

I would absolutely say to the government, if you want to really protect consumers in our province, please add in that. That's a substantial amendment, but the government could do it if they actually wanted to do it. I suggest they should want to do it, to protect the vulnerable in our province.

I look forward to hearing the other comments.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Mario Sergio:** Just to add a couple of words on the wonderful comments made by the member from Hamilton East–Stoney Creek—and if the member felt that he was being heckled by his own members, I think they were trying to tell him that everybody agrees with him and we should send the bill ahead to the committee and bring it back, hopefully, amended, with better recommendations so it could become an even stronger bill.

We have to compliment and commend the Minister of Consumer Services for bringing the bill forward. I think our taxpayers do need all the protection they can get from unscrupulous door-to-door salespeople, if you will. There are good ones; there are bad ones too. I think this bill would go a long way—that's Bill 55, which offers more consumer protection.

We've had maybe 11 or 12 hours of debate on this bill. I think it's time that we move it forward. It seems to be one of those very rare occasions where a bill is being supported by all members of the House. I think we should move it forward, for second reading, to the committee. Let's get more comments from the general public, individual stakeholders. Let's bring back a better bill, and let's do it on behalf of all our people, the consumers of Ontario, our own taxpayers, our own constituents, our own voters.

I'm complimenting the bill and the minister who brought forth the bill. Let's send it on, and let's bring it back as a better bill.

**The Acting Speaker (Mr. Ted Arnott):** That concludes the time for questions and comments. I return to the member for Hamilton East–Stoney Creek.

**Mr. Paul Miller:** I'd like to thank the Minister of Community Safety and Correctional Services—it's a rare commodity when we agree on something; that's very nice; I think that's very good—and the member from Bruce–Grey–Owen Sound, who tried to stir the pot with my own caucus a little bit, but that's okay. I understand his motivation in trying to step it up a bit.

I'd like to also thank the member from Parkdale–High Park, who made some good points—that omission that she mentioned is very glaring—and of course, my friend

the minister responsible for seniors. He always speaks eloquently when he makes his points.

This is basically one of those bills that's practically—all-party agreement. It's a no-brainer. People want to protect their family, their relatives, their neighbours, their community from unscrupulous acts that may cost all of us money in the long run and only fill the pockets of people who may be working outside the guidelines of the law, stretching it a bit and locking people into contracts that are certainly to their demise, as opposed to their benefit. We, as representatives of the people in this hallowed chamber, are here to protect them.

I think these are the types of bills that are good for people out there and save them money and keep them on the straight and narrow with some of the people that try to pull fast ones out there, and there are quite a few. They seem to crop up every year with a new idea, a new scam, a new way to push the limits of the legislation that's in place, and they always challenge it.

We certainly have to keep a vigilant eye on our consumers, and we will continue to keep a vigilant eye. I commend all the members in the chamber who support this bill.

1430

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Toby Barrett:** I also support the bill, the Stronger Protection for Ontario Consumers Act. We know it's an omnibus bill. It covers three main areas: water heater sales, debt settlements and real estate transactions. I guess it's been 10 years since we've had legislation like this to protect the consumer, and that goes back to the Consumer Protection Act of 2002, enacted by the Honourable Tim Hudak.

So we have a bill. Bill 55 addresses three key areas in the marketplace to make the marketplace a little more fair, to provide some more choice and to help instill more confidence in our consumers. We have government for a reason, and one of those reasons is to protect consumer rights. One of those reasons is to ensure a tough environment for dishonest businesses. That is essential for consumer confidence.

We all realize the need for rules, rules that are clear, universal, understandable and accessible. Consumers should not be confused by a patchwork of regulations. Businesses, on the other hand, must know the type of environment they're expected to operate in.

Currently, a legal claim by a consumer against any less-than-honest business can take months or years to process. It often can involve skyrocketing legal costs, stress, and again a decrease in consumer confidence.

With respect to water heaters and the door-to-door sales, this legislation has a number of measures. It will double the cooling-off period. It opens the door for other cooling-off periods to be doubled. It prevents new suppliers from installing new heaters for 20 days. It makes the supplier liable for a cancellation charge if they do install before the 20-day limit. It mandates that all sales be in writing, and recorded, scripted follow-up calls must be made to the consumer.

We need the clear rules and smooth transition, leading to a more open, fair competition. This has not been the case with much of the door-to-door water heater sales business. These kinds of tactics are certainly a concern, especially when you run into a crooked water heater salesman. We've heard of customers trying to cancel the service. They're put on hold for long periods of time; they are talked out of it. Scare tactics are sometimes used. Cancellation charges can kick in that run up to hundreds of dollars.

I received information from a constituent with respect to the water heater business:

"After purchasing a house in December 2012, I realized we were being billed for services for our hot water heater rental unit through" a well-known company—I've got the name here, but I won't mention the name—"at a higher than average rate.

"I called my hot water rental service provider and found out they had been charging the previous owners of the house for a 50-gallon water heater unit that was ventilated by a power motor.

"After verifying with my customer support agent that in fact the unit in my residence was only a 40-gallon tank, non-motor ventilated, they had been overbilling the previous owners for months (maybe even years).

"When I verified these details through the unit's serial number, my agent became very quiet and I was then passed on to a customer service manager. The manager apologized and said my contract would be revised and I should be credited for the overpayments."

There's an aware consumer who was able to track it down. Not many have that ability.

You can't legislate away deception or vulnerability. We need a strengthening of the enforcement tools and to have other recourse beyond the court system. Many who are taken for a ride just cannot afford that system.

Now, we know the bill looks at debt settlement companies, and we've all heard the pitch: "Your bills are too onerous. You're overdue. You're under pressure, and there's a way out through debt consolidation." Many, eager to escape their debt concerns, unfortunately, hear what they want to hear, or hear what the settler wants them to hear. In many cases, vulnerable people resort to a debt settler.

Again, if the deal sounds too good to be true, it probably is. So we have legislation here to deal with this mandating that all contracts be in writing, setting a cap on the fee, prohibiting charging upfront fees, setting a cooling-off period—in this case, 10 days—mandating certain disclosures and forbidding certain advertising practices, and establishing penalties. Through these measures, the legislation seeks to restore confidence and security in something that many people have been abused over the years.

There are honest, experienced debt settlers out there, and they can be a godsend. A reputable debt settler can bring a wealth of experience, contacts and sometimes alternatives to bankruptcy. Again, we have government for a reason: to ensure that the good guys are in this

business and provide those alternatives, while shutting out the bad ones.

There was a story reported in the House here with regard to a young woman. She had compiled \$18,000 in credit card debt and turned to a company that had been advertised on Facebook. This young woman paid the company offering to settle her debt almost \$3,800 to help her before finding herself facing a lawsuit from the bank. Eventually, she ended up filing for bankruptcy anyway.

Real estate sales: I will wrap up with this portion of this omnibus bill. This has been mentioned. It removes restrictions against charging both a fee and a commission for selling or buying a house, while also mandating that offers for a property be made in writing and allowing the consumer to inquire with the Real Estate Council of Ontario as to whether other offers were made on that same property.

During debate, we heard talk of phantom offers. That's a practice that some real estate agents have been known to use as a high-pressure sales tactic. The end result: It distorts the marketplace.

A constituent relayed to me a face-to-face situation with respect to a very recent real estate transaction. "While looking for a house, we made an offer on one we liked. The offer was \$30,000 lower than the asking price.

"This offer was the only offer made. The real estate agent representing the sellers manipulated this offer.

"A few days after our offer went in, another couple who was interested in the property decided to make an offer because they were told by the real estate agent that the current owners were thinking of taking our offer because it was a good one (when in fact they weren't happy with our offer).

"The couple decided to go ahead with an offer which was \$10,000 over the asking price because they were afraid our offer was going to be accepted. The agent used our offer as a scare tactic to get the second offer at a higher price.

"The tactic worked, and they accepted the second offer at \$10,000 over asking price.

"After the couple moved in, they found out the house was filled with mould and the entire roof needed to be redone."

As we can see, phantom offers—both home sellers and buyers rely on accurate information—are bids that are jiggered by the agents themselves, and you're never really 100% sure about the true nature of the offers that are coming in. That's really no way to do business. These kinds of phantom offers distort the market and jacked up the price in the case I just mentioned. That doesn't help anyone. Inflated prices mean bigger mortgages, which mean more household debt and higher default rates. Again, it diminishes that trust in our real estate industry, especially when a consumer finds out they've been left out on a limb; they have nowhere to turn.

**1440**

As I mentioned, we haven't had this kind of legislation for over 10 years. We've waited quite a while for this bill. It is long overdue, and I'm willing to support it.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Taras Natyshak:** I want to thank the member for Haldimand–Norfolk for his well-nuanced impression and his reasoning behind his support for this bill. I believe we have or will have close to unanimous support for it to move forward through committee, as it is, as he indicated, an omnibus bill that covers the various sectors under the Consumer Protection Act dealing with real estate agents and business brokers, as well as door-to-door salespeople and collection agencies.

I would imagine that members of this House receive a variety of calls from those various industries, as well as many others, throughout their week, ones that require us and are incumbent upon us to deal with through this body. That means enacting further regulation. That means close scrutiny on the operations of enterprise out there, outside of the walls of this building, and to understand the different approaches and tactics that are taken through sales, whether they be door-to-door or, as the member from Haldimand–Norfolk indicated, sometimes even over Facebook. The changing nature of the way that the consumer interacts with these industries requires us to be cognizant of the different approaches and potentially the different pitfalls that might put people in precarious positions.

I guess, unfortunately, we're talking about those folks who are preyed upon, because this seems to be the "unscrupulous"—that word has been used often throughout this debate—the unscrupulous operators, who are in fact predatory in their measures, pointing to the fact that many who fall prey to these are those who are seniors and new Canadians with language barriers who might not understand the intricacies of massive contractual obligations when it comes to hot water heaters or otherwise. So I'm proud to see this bill work its way through this House, this chamber, and into committee, where we can fully scrutinize it.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Phil McNeely:** I'd like to respond to the member from Haldimand–Norfolk and what he has said about this bill. It is now already 11 hours into debate, and it's time to pass it in second reading and get it to committee so we can get this important bill for consumers in place.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Jim McDonell:** I'm pleased to get up to respond to the honourable member from Haldimand–Norfolk and his carefully chosen critiques of this bill. I think it's a bill that we said we support, and we look forward to getting to committee.

It has protections in there for the most vulnerable. Door-to-door sales is something that is a long-time profession. It has its place, but we want to make sure—not only in water heaters, but really it should apply right across the industry—that tactics are fair and forthright. We see some issues there. We want to also amend it to make sure that the anti-competitiveness of the incum-

bents are clear and straightforward as well. I think we've heard some issues about that.

In real estate, we hear of the phantom offers. Again, when you're dealing with the public, it's unfortunate that sometimes there's a few people that require the additional legislation. We want to make sure that the agreements are at arm's length and fair and people know what they're getting into, and that the offers are actually there and honest, upfront.

The debt settlement, again, transparency: We want to make sure that people, when they sign a contract with somebody, know all the inputs. We're looking for clarification in just what the deals are with some of the counselling services. If you're receiving funds back from the creditor, I think that that should be made obvious so people know what they're signing.

It's something we're looking forward to getting to committee. It's going to take a little bit of a while to go through it at that time. We think that we can work with this bill and bring it through and protect the consumer in something that has been an issue. We've received a number of complaints on it, and we're looking forward to solving those issues and having the industry provide a strong future for itself.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Cheri DiNovo:** Again, getting up to make a comment upon the member's comments on this bill gives me a chance to talk about what's missing in it as well. This is an omnibus bill, so I was actually quite saddened and shocked to see that there was nothing in this bill about payday lending companies, who surely are the scourge of consumers in this province, charging 544% interest. That is down. I have to give credit where credit is due: to a former Minister of Consumer Services who responded. It used to be 800% to 1,000% interest. Wow. We can say, I guess, that's sort of progress. It's kind of Liberal progress.

What we really need in this province is real progress: a bill like they have in Quebec, that is law, where your maximum amount of interest charged is 35%, which is what my bill asked for years and years ago. But still we see no reaction or action from this government on actually protecting consumers who walk in to these payday lenders and are charged 20%, they think. This is how they fool people, by the way: \$20 on \$100, but it's not 20%, not even close. It's about 544% when it's annualized.

**Mr. Peter Shurman:** It's usurious.

**Ms. Cheri DiNovo:** As my friend from Thornhill says, absolutely, it is usurious. It is, by very definition, usury as it used to be constituted federally, where 60% was the cut-off, and in fact it's 544%, as I said.

Buyer beware: Do not use these services. Of course, we know the people who use them are desperate. They have no one else to turn to. Those are exactly the consumers we need to be protecting: those who are desperate.

Again, this bill is good as far as it goes, but it needs to go so much further in protecting consumers in Ontario.



**The Acting Speaker (Mr. Ted Arnott):** The member for Haldimand–Norfolk has two minutes to reply.

**Mr. Toby Barrett:** I think the member from Essex made mention of the “predatory” practices that we are discussing in this debate, most particularly those targeting seniors and those most vulnerable, who answer the door or pick up the phone. He particularly made mention of those who perhaps have barriers with respect to the English language and are really over a barrel when they’re subjected to some of these scams.

The member for Ottawa–Orléans indicated it is 11 hours of debate. It’s actually 11 hours and counting, going on 10 years, since we’ve had this debate in this Legislature. I concur that 11 hours is fulsome debate, but I regret that this government has let this slide for the past 10 years.

Our critic on this file, the member for Stormont–Dundas–South Glengarry, also known as Sand, Dust and Gravel, SDG—and I say that with admiration—had an excellent presentation in this Legislature. In my debate and my deliberations, it helped me a great deal to read the Hansard from our critic. I look very much forward to his contribution in committee, and I’ll be making a point of reading the transcripts, the committee Hansard.

The member for Parkdale–High Park made reference to payday loans and usurious interest rates. My academic background is economics, and after I graduated, for decades I followed interest rates. Even during high-interest-rate periods, I never paid or borrowed at more than 9%, and we have to get on that issue. That’s got to be the next piece of legislation under this particular file.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Taras Natyshak:** I’m of course honoured, as I always am to rise in this House to speak on any bill that comes before us as members, and particularly filled with a sense of, I guess, a little bit of joy here at the end of our session that we’re actually working out a bill without an enormous amount of hyper-partisanship. I fully admit that I’m one to jump onto the hyper-partisan bandwagon; from time to time, you get wrapped into it.

**1450**

But it’s nice to hear that we’re coming to some consensus that these issues here have to be looked at and reviewed and scrutinized and brought to committee to provide members of our communities and our province some assurance that there are protection mechanisms built into the transactions that they make on a day-to-day basis. It’s one that, and again I will reiterate, we hear from time to time, most often in our constituency offices; that people have been simply ripped off, whether it be through the door-to-door sales transactions, which I think reached a fever pitch through the deregulation process of our hydro regime in the late 1990s and early 2000s—through that process, it opened up the doors to fly-by-night sales agents who were ready to throw any deal out the door—actually, right at your front door—and who took advantage of consumers.

I stand to be corrected, but I think the initial Consumer Protection Act actually was brought in to deal with that

deregulation and the massive amount of people who were showing up at the front door to take advantage of people.

I’m pleased to add some comments here today, particularly—as was mentioned before, this is an omnibus bill which deals with three different acts: the Collection Agencies Act, the Consumer Protection Act and Real Estate and Business Brokers Act. I’m going to focus simply on the Consumer Protection Act, which deals with debt settlement services.

Those who are tuning in today would be forgiven if they were lost in the hyperbole of some of the members in this House who, more often than not, talk about deregulation and the fact that we have to step away from the free market and let that system simply regulate itself, whether it be in financial transactions or consumer transactions or even some of our vital health and safety components of food security and food review and safety. But lo and behold, we hear today, when it comes to specifics about dealing with people’s pocketbooks, there’s support, a consensus here that we have to do something.

But back to the debt settlement: Some companies that provide debt settlement services in Ontario offer to dramatically reduce a person’s debt by negotiating with creditors on their behalf, provided that the consumer pays a hefty upfront fee. So imagine that. You’re burdened with debt, whether it be university tuition debt or a car loan or something that added to your financial burden, and you’re looking for help. You’re looking for some advocacy and looking for some guidance. There are more than ample services out there, provided that you pay them up front without a guaranteed outcome in the end. They’re willing to sell you their advocacy without guaranteeing that you’re actually going to get a lower debt payment. That’s something where common sense should prevail. Those services shouldn’t be offered unless there’s a set result at the end that’s actually going to benefit that consumer.

These companies can hide behind hidden contract clauses, as well. In the bill, we’re talking about plain language, where people don’t have to scroll down an entire volume of legalese to be able to interpret exactly what their liabilities are, what their responsibilities are and what the outcomes are in the end—things that ultimately will require us to send this to committee to bring in those experts to explain what the impacts are on consumers and how we can really initiate some clarity in these types of contracts, because I think they’re valid. I think there’s a use for them. I think that the service is useful, whether they be through our traditional financial services or otherwise. But let’s make sure that people have the confidence to be able to employ these services and be certain that they’re not going to be taken advantage of yet again through the process.

Again, back to the fact that in this House we’ve seen various measures come forward that have identified problems that we hear about every day, one of which I’m quite passionate about, that I’m certain members hear about on a daily basis: the fluctuating cost in gas prices, gasoline at the pump. We have regulations through the

federal government, as well as the provincial, but we have no body with legislative teeth to hold gas companies accountable.

That's why, very early in my tenure here and in the makeup of this new Parliament, we saw a bill initiated by our members to regulate the fluctuating price of gasoline on a weekly basis. That was something that I think could have infused some confidence and some rationale in the fluctuation of gas prices. That was quickly voted down. So it's interesting to see that there's a piecemeal approach here on behalf of the government and the opposition to support various aspects of regulation when we know, in fact, that some of the most contentious areas that need regulation are the ones that they're least likely to go into; for instance, gas prices.

Also, as we saw most recently, New Democrats proposed regulation on auto insurance rates, where we see a province that has—consumers in the province of Ontario pay the highest premium at the same time as having the lowest accident rates in the country. We see that as a glaring omission in the need for regulations in our financial services specifically when it comes to auto insurance. Members, at least of the opposition, have been reluctant to add their voice to the need for regulation there. We see it as something that is essential, not only to ensure that auto insurance purchasers, consumers and drivers are protected and treated fairly, but also to ensure that the industry is not a Wild West, where rate increases can be really unjustified, as we see today.

I've spoken about, I guess, who we need to inform about these regulations. Ultimately, it will be the consumer. That information, should these provisions be passed and these amendments to the various acts be passed, should be broadcast quite broadly. We need to ensure that consumers out there understand that there are new provisions that can protect them.

But even more than that, we have to send a message, a clear signal, to these unscrupulous operators that it's no longer business as usual for them. They can no longer get away with the predatory practices, the hard-pressure tactics and sales at the door, going door to door, and no longer use really opaque language in contractual obligations to undermine the security and confidence of the consumer. We need to send that message quite clearly, and I hope that there's some mechanism and some resources built in at some point through these measures to allow the government to embark on that—a real, clear message to these operators that this is a government, this is a province, that will no longer allow people to be taken advantage of through these various mechanisms. It's something that there's no doubt there's broad appeal for, and there's certainly broad support, I would guess other than those operators who want to continue business as usual—but one that I think speaks to the fact that this House can actually, if it endeavours, accomplish something that has a tangible effect on the outside: some confidence back into these various industries.

There are so many more. My colleague from Parkdale-High Park has worked diligently on the unscrupu-

lous practices of payday lenders. We've seen interest rates on those same-day payday loans surpass 500% and 600%. That's unforgivable, that they would take advantage. We also see those payday lending shops being transplanted. They have transplanted traditional financial institutes like banks and credit unions, and done so in marginalized areas, in areas of low income. So actually, they're moving into neighbourhoods with the sole intent to take advantage of those low-income folks and those who would require same-day payday loans.

I think again this is a worthwhile endeavour for us to put our effort into. It's indicative of the fact that a minority government has the ability to find compromise, and I look forward to supporting it on its way through committee and afterwards as well.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bob Delaney:** Speaker, this is pretty simple. If you want to see the abuses cleaned up in door-to-door sales, we've got to get this bill passed. If you want to see the abuses cleaned up in debt settlement agencies, we've got to get this bill passed. If phantom officers just make you ill in the real estate business, we've got to get this bill passed. If you want to see proper à la carte services in real estate, we've got to get this bill passed. I believe we've got to get this bill passed. We've got to get it to committee.

1500

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bill Walker:** It's a pleasure to speak to the member from Essex. It was nice—actually I don't think anybody heckled him in here, which is the way it should be when a member is speaking. We showed our respect for that.

It doesn't surprise me that he was heckling his member earlier, because at the end of the day, I think he'll probably prop him up on what the speaker was saying anyway. It's kind of the track record we've seen here many times. We criticize and we find fault in many things across the aisle, but at the end of the day we know where that party is going to stand. Taras has done that a fair bit in this House—over the last year and a half, really.

On this, again I agree with him on some of these pieces. I think he certainly is supportive of the bill. He's looking for some of the spirit of intent things. From our side, what we're doing is what we normally do. We stand and try to actually put opposition to the party across the floor; that is our job. We're supposed to hold them to account when they're not doing a good job. We continue to try to do that, Mr. Speaker, and hopefully Taras is finding that. He's sitting fairly close to us, and hopefully he's seeing there is that principle of us standing there saying, "Look, this isn't right."

This is a bill that is a step in the right direction. Typical of many of the bills we've seen from the Liberals, it's a lot of window dressing; it's a lot of much ado about nothing, I think one of my colleagues said today, quoting Shakespeare. There's a lot of window

dressing that says, “We’re going to solve the ills of the world,” but there are a lot of things missing from these bills.

What we’ve said, and what our critic from Stormont–Dundas–South Glengarry has said in his briefing to us, is that it’s not a bad bill; it’s a step in the right direction, but there’s an awful lot of work needed to get there. There needs to be more protection for those consumers so that we actually put back in the consumer confidence that has been decimated under eight and a half to nine years of Liberal management, or mismanagement, we might say, with all the boondoggles they’ve had.

I certainly am going to be supporting the bill with those amendments at committee. Hopefully they will listen, because often what the Liberals do is say, “We want to hear, we want to have a conversation, we want to listen to the people of Ontario,” and then as soon as we offer it, they just turn around and say, “Yes, thanks for that, but we act like a majority.”

So we hope this bill will get to committee. We are going to support it, but there needs to be significant changes, as there does with many. We’ll certainly stand up on our principles on this bill, like we always do.

**The Acting Speaker (Mr. Ted Arnott):** The member for Hamilton East–Stoney Creek.

**Mr. Paul Miller:** I’d like to just touch on one of the aspects of the bill that I’m familiar with. Years ago, my wife and I both had real estate licences. We saw so many changes in the real estate business over the years that were positive, in reference to consumer protection.

I can remember the days when you would list a house and you would take the word of the owner of the house that there had been no water damage or the house did not have urea formaldehyde in it or it didn’t have some damage, and there was no way of proving that. Sometimes in those days, the buyer would come back at the real estate agency saying, “Well, you didn’t tell me.”

One of the things they brought in over the years was a declaration by the owner, which he had to sign, that there had been no water damage, and a good real estate agent would get them to do that so that any responsibility for hidden problems that might arise after the purchaser bought the property would come to bear on the former owner. That was a good thing.

Also, the declaration that real estate agents can do what’s called double-ending: I could list your house, and I could also bring the buyer. You’re kind of acting as an agent for the buyer and the seller, and it’s called double-ending. They brought in a form that you had to make your seller and the purchaser aware that you were representing both parties, because you’d be negotiating from both sides. It makes it rather difficult on a real estate agent when they do that, because you’re trying to get the best deal—your objective is for your vendor. You’re supposed to get the best price for your listing property, and yet you’re supposed to get the best price for the purchaser, too. You’re kind of like in the middle of this situation, so it can become very touchy at times.

Sometimes the consumer will say, “Well, you’re doing a better job for the vendor. You’ve got his interests at

heart.” Then the vendor will say, “You’re lowering the price to suit the purchaser, so you can just move the property.” It was very touchy. So they brought in this declaration so that both parties knew that you were aware of the situation, and it was very beneficial.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Mario Sergio:** As well, Speaker, I have enjoyed the comments by the member from Essex. He has given a good rendition of the content of the bill, and I have to say that we agree with the views he has expressed.

Bill 55 speaks about consumer protection—strengthening the bill itself—but I have to say, after I listened to most members in the House, that it seems that there is unanimous consent to approve this bill and send it forward.

We’ve had 12 hours of debate, Speaker. It doesn’t happen too often that we have 12 hours of debate on a particular piece of legislation where we all agree and we still continue to debate it in the House. I think it’s time that we move it forward. We compliment all the speakers who have made a contribution on this bill. We want to compliment the Minister of Consumer Services, who has introduced the bill, and with the unanimity of the House, I would say. We all agree. Let’s move it on. Let’s approve it for second reading. Let’s send it to a committee and bring it back as a better bill. I’m sure our consumers will all be glad we did that.

**The Acting Speaker (Mr. Ted Arnott):** I return to the member for Essex for his reply.

**Mr. Taras Natyshak:** I want to thank the minister for seniors and the members for Mississauga–Streetsville, Hamilton East–Stoney Creek and Bruce–Grey–Owen Sound—particularly the member from Bruce–Grey–Owen Sound, who rose to talk about, I guess, the demeanour in this House. Often, we find ourselves heckling each other. He is certainly one to hold the reins on that one.

But I’m surprised from the outset that he actually read this bill. It seems they have been against, really, every bill that has been proposed in this House other than their own. But from time to time, we see there’s some consensus. Certainly on this bill, there is some consensus, as there was in committee the other day when the member and his party joined—

*Interjection.*

**Mr. Taras Natyshak:** Well, the member wasn’t on that committee, but the members of the Liberals and PCs joined to eliminate the month of July from sitting in committee for the justice committee to get down to—

*Interjection.*

**Mr. Taras Natyshak:** We wanted to sit the entire summer. Unfortunately, they decided to take a break during July, which will again demean the work that this House needs to do. The member can sit on his laurels and say that they’re doing the hard work, but they actually haven’t. It has been lazy politics at every step of the way, which I don’t think people appreciate out there.

They see that there are parties, specifically the New Democratic Party, that are doing their very best to

address the issues that consumers face each and every day. But unfortunately, we have those in this House who would rather play games and talk as much as they can, bang their fists on their desks and try to rest on the sanctimony of their party, yet accomplish—I would like to say that they have accomplished something, but they have accomplished zero.

This is one that I think we can accomplish some steps on for consumers out there that will add some protection. Again, I commend the minister for introducing these important reforms.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Norm Miller:** It's my pleasure to have the opportunity this afternoon to speak to Bill 55, An Act to amend the Collection Agencies Act, the Consumer Protection Act, 2002 and the Real Estate and Business Brokers Act, 2002 and to make consequential amendments to other Acts.

We've had a number of people speak to this bill already. Certainly, I'll try to get to all portions if I have time, but I think I'll start with the part that I've heard the most about from constituents in Parry Sound–Muskoka. That is to do with schedule 2, the Consumer Protection Act, which really deals with door-to-door salesmen in large part.

For a number of years, I've been receiving complaints from constituents on this issue, mainly, it seems, to do with hot water heaters and rental agreements. I would just like to get on the record a couple of constituents who have written to me. I won't use their names because I don't have permission for that.

On January 5, 2012, a gentleman from Huntsville wrote to me: "In cases where one company, for example, when Reliance took over the hot water tank from (rental) Ontario Hydro, I would like to see them have to send out a letter to the customers explaining there are charges or any changes and give the customer the choice of continuing with them or not. Put it in plain English or French in a separate envelope making it very clear."

He wrote to me with some excellent suggestions. I then wrote to the current Minister of Consumer Services—and that was Margaret Best at the time, actually—and pointed out his concerns. In fact, I wrote, "Mr. [—] suggests that if a company is transferring a consumer contract to another company, the consumer should be sent a letter in advance that clearly explains the change in plain language, and sets out any charges the consumer will have to pay. He adds that the consumer should then be given the choice of continuing with the contract or cancelling it." He—again, avoiding his name—"informed my staff that, in his case, it would cost him more to buy the used tank from Reliance than it would to purchase a brand new tank. I understand he also objects to the contract cancellation fee."

**1510**

He suggested "all consumer contracts should be easier to understand—no fine print, for example"—a very practical suggestion.

Interestingly enough, Mr. Speaker, I had a concern come in just today. When I learned I was speaking to this, I knew I had many constituent concerns, so I contacted the office. Just today, someone contacted me in my Bracebridge constituency office. They did say it was fine to use their name.

Ms. Idena Hervieux called, and she purchased her home last fall, moved in December 2012. A door-to-door representative of National Home Services attended at her home in April 2013. He told her that Reliance no longer was offering the service. He told her other people on the street were changing to National. He asked if he could look at the hot water heater.

To make a long story short, he came in; she let him into the house. He looked at the hot water heater and told her it needed to be replaced. Whether it did or not, who knows? He asked for a voided cheque. The next minute, she's signed up with National.

She's received a bill despite giving a voided cheque—I assume she assumed it would be an automatic one—and now there are problems with it as well. There are exhaust fumes being emitted by the hot water tank—the hot water tank which who knows whether she even needed.

She tried to call the door-to-door salesman and there's no answer. She can't get in touch with him. This is one that just came in today, noting that it's very much a current topic of interest.

Another one I received way back in April 2011 that I wrote to the Ontario Energy Board about:

My constituent's "complaint is that the agreement he had with Hydro One was transferred to Reliance Home Comfort without his knowledge or consent. He was not aware of any terms in relation to the removal of the hot water tank and therefore feels the fee for removal of the tank is unjustified. Furthermore, he feels that consumers should be protected from this type of practice.

"His attempts to negotiate have resulted in the matter being turned over to collections."

He was a good customer. He writes that he never missed a bill in 30 years, never missed a payment in 30 years. He wasn't told about the change and now has received a threatening letter that could affect his credit rating—just to give you an idea, Mr. Speaker, that there are a number of people who have written to me on this issue, so it's obviously something that needs to be dealt with. This bill establishes a 20-day cooling-off period, so it will provide some protection. I think it does still need to go further.

I'd just like to point out that this is really a frustration for seniors. My own mother lives in Gravenhurst. In the home that she currently lives in, she went through the same thing, where she had a hot water tank and she didn't want it any further. She spent months and months and months trying to make contact with the company and trying to get something done to actually get this dealt with, and it was really frustrating for her. I'm sure there are lots of people, particularly seniors, who are the vulnerable ones.

We've had some other similar situations where seniors needed to be wary—lately, to do with carpet cleaning.

Locally, in the Muskoka area, there was a company going around knocking on the doors of folks and then claiming to be Len's Carpet Cleaning and claiming that it was time for them to have their carpet done.

Well, I know Len and Len's Carpet Cleaning very well. At our past business, he cleaned carpets for many years. He does a great job, very reputable. This fraudster was basically using Len's name, showing up at people's doors, and then not only was he doing that—I don't know whether he was even cleaning the carpets properly—but he would tell the senior or the homeowner that the fumes were bad and he needed to shut the door, and then it turned out that he was stealing things as well.

I happened to talk to my own mother, who lives in Gravenhurst. It turns out she let this person into her own home. I don't know how you deal with that, except perhaps through more education, which all of us can try to do.

I know many members will do seniors' days where they bring in various groups to help educate. I did one a couple of years ago at the Gravenhurst Seniors Centre and it was really well attended. I know Mr. Wilson has done them for years. I think the member for Simcoe North, Garfield Dunlop, has run those days as well, where they try to bring in the OPP and other groups to help educate. Because in the case of that, really, I think it is the police that need to deal with it.

Mr. Speaker, there are a couple of other parts to this bill. I've talked about the door-to-door sales part of it, that is, schedule 2. There's also a schedule 3, which is to deal with real estate business and brokers. It deals mainly with, I guess, phantom offers, where a real estate broker may be trying to jack the price up and get somebody to buy a place or make a higher offer, so they create phantom offers. This particular change would make it that "A registered brokerage acting for a seller is required to retain, for the period of time prescribed by the regulations under the act, copies of all written offers...." So he has to maintain the actual offer. And a person who makes an offer, makes a written offer, is able to be told how many offers have actually been made. That's to deal with that phantom offer part that's been going on, that has been a problem for real estate.

In closing, because I only have a minute and 30 seconds left, there is also a section to do with debt settlement. But we've had quite a bit of debate on this bill, and we have agreement of all three parties that it's moving in the right direction and agreement that it should go to committee. The only problem is that there are no committees this summer. I think that a lot of us would like to see committees. I know I've been involved with public accounts the last year and a half, looking into Ornge, and our committee would like to sit this summer to keep working toward a final report. But we are not able to, because the government has not made arrangements for all of our committees to be able to sit. It would be great if this bill, that there seems to be unanimous agreement in support of, could go to a committee this summer and have public hearings and move through the

process. But unfortunately, Mr. Speaker, we will end up essentially having a mini prorogation without proroguing this summer, in terms of committees, because we won't be able to sit. It's very unfortunate that we'll lose that time until we come back in September, and then hopefully things will get rolling again.

Thank you, Mr. Speaker, for the opportunity to speak on Bill 55.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Paul Miller:** I'd like to thank the member from Parry Sound–Muskoka for his comments. One aspect that he touched on that I would like to touch on is the human factor, Speaker. You don't know what it's like—well, I'm sure you do know what it's like when an elderly person comes into your office and they're almost in tears because they can't get out of this contract and they've tried very hard to contact these people and they keep being ignored and ignored and ignored, to the point where they come to us with a need and our staff has the ability to phone them from our office and kind of indicate that their licence might in jeopardy if they don't start behaving properly. Lo and behold, within a week or so, they get a letter; and after a year and a half of trying to get out of a contract, they're out of a contract. So it's amazing how they will basically give the runaround to the general consumer but when push comes to shove and they come up against a political office or the government, all of a sudden their attitude changes and they finally get a memory and they finally remember the address of the person that's been trying to contact them and something is done about it. But that's unfortunate because not everybody knows that they have that avenue to come to the MPP or MP's office to rectify an ugly situation.

There's nothing worse than having—and the appreciation on the senior's face when they get out of this situation. You know, they've even come and dropped off some baked goods or a coffee to my staff for helping them, because they're so thankful for helping them out of a situation. It really is heartwarming because you know you've actually done something with your office to help an elderly person or someone in your community get out of a really distressing situation for them, because a lot of them, in my community, are struggling financially. Twenty per cent of the people in my community are living below the poverty level, and when they get locked into these kinds of contracts it's pretty scary stuff, so I'm glad we can rectify that for them.

1520

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Bill Mauro:** I'm pleased to have a couple of minutes to respond to the member from Parry Sound–Muskoka, and I thank him for his comments. I'm pleased as well to hear, I think very clearly, that both of the opposition parties are likely going to be supporting this particular piece of legislation that our government has introduced. I want to thank our government for bringing forward legislation that's very much focused on consum-

er protection. I want to thank our minister for doing exactly the same. It's had a significant amount of debate, and we look forward to the support from the members of both opposition parties.

This particular one is not the first piece of consumer protection legislation that we have introduced over the course of the last short period of time. We have introduced legislation on cellphone protection that's going to enhance protection for consumers in the province of Ontario. This particular bill deals with the door-to-door sales of water heaters, debt settlement services and a range of other issues, and I'm very happy to see that focus come forward.

I've had a chance to speak on this legislation previously. As I said then—and I'll say it now—it has indeed been a wonderful opportunity, through my staff, to help so many people in my riding of Thunder Bay–Atikokan who have been, quite frankly, taken advantage of and ripped off by many of these door-to-door retailers who have been, unfortunately, in the practice of conducting this type of operation for quite some time in the province of Ontario. It's a significant industry in the province. Unfortunately, there are a lot of bad players in it.

I think the part that is most disgusting for those of us who do the kind of work that we do and hear about these incidents through our constituency offices is that far too often, it is our seniors who are being taken advantage of the most.

I'll state once again, in my last few seconds here, that I'm happy to hear that both the Conservatives and the NDP—it sounds to me—are going to support our government's legislation for enhanced consumer protection, primarily for our seniors.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Jim McDonell:** It's always a pleasure to get up and respond to the comments made by the member from Parry Sound–Muskoka. We can see through the discussion that he has a lot of experience with the issues of constituents, in talking about the hot water incident. It highlights a situation in this province that's gone on for some time. Certainly, the bill is overdue for consumer protection in a number of areas, and we look forward to getting it to committee.

He also talked about the trouble with getting it to committee because the government has teamed up with their farm team from the NDP, and so far, as I understand, there will be no committees this summer. We did have issue with one in July, but we were looking for a number in August and we're not seeing that. So we're hoping that the third party will reconsider and vote with us to bring back committees for the summer, but I guess maybe it's part of the agreement over the budget.

We need to look at consumer protection, but part of consumer protection is protection of our pocketbook.

Most of the complaints that I get in my riding are about the inability to afford to live in Ontario anymore. A person on a fixed income came to my office just two weeks ago, showing me bills and asking what they could

do. Their pensions aren't going up; they're fixed. They have limited resources, but their hydro bills have gone up almost three times since this government has taken over, and they don't see any relief. They were quite frightened when I told him that the Auditor General said they're going to go up another 45%. There was certainly disbelief there; they couldn't believe that they could go up further.

But anything is possible with this government. As they spend and spend more, they need more revenue, and you can only borrow so much. The credit ratings are telling them they've had enough. We're going to see what's going to happen, but it's time to put the people first.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Taras Natyshak:** I'm pleased to add my comments to those of the member from Parry Sound–Muskoka, who, I think, always offers candid and well-nuanced interpretations of the bills that come before us today, without the matter of hyper-partisanship. I think his demeanour is certainly respected in this House and I enjoy listening to him. He brings up a bunch of different points that I think need to be, again, fully worked out through the committee process, which we're hearing will eventually be.

What I have, I guess, some questions around is just the fact that we are talking about regulation in here of private industry, and that the majority of the narrative coming from the official opposition is simply that the free market and private industry will cure our economic woes; let's just let them do what they need to do. People can be forgiven who are tuning in today to hear some conflicting ideology, so I would like to hear some clarification as to, when do we regulate? When do we not? Where's the red tape you have to cut, or is this red tape being added on to these industries?

Be clear with the people out there. Be forthright and truthful with the matters that you're promoting and your proposals and policy initiatives, because, at this point, we don't know what you're about. We don't know what you're supporting and why you're supporting it. That makes you no better, really, than some of the other fence-sitting political parties that sit in this House. So, either you believe in the free market or you don't. I don't know, again, where that ideology wavers here. We always used to be able to be confident and respect the fact that those on the right subscribe to that ideology. Now, I don't know anymore.

But I welcome that they're willing to look at this initiative. I welcome that they're taking it seriously, because I don't see that they have on any other measures that have come before this House.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our time for questions and comments. I am going to return to the member for Parry Sound–Muskoka for his reply.

**Mr. Norm Miller:** I'm pleased to reply to and thank the member from Hamilton East–Stoney Creek, the other Miller; the member from Thunder Bay–Atikokan; the

member from Stormont–Dundas–South Glengarry; and the member from Essex.

The member from Hamilton East–Stoney Creek talked about the human factor. That is true. If you talk to your constituents, particularly seniors, it really is frustrating. It really is worrisome for them when they're trying to get out of one of these contracts and they can't do it. It really weighs on them. I saw that with my own mother, when she was trying to get out of a hot water tank contract and was just having no success in doing it. I think a lot of people around the province have experienced that. So I think we need to make it easier to cancel these contracts.

The member from Stormont–Dundas–South Glengarry talked about how electricity costs have gone up so much. I think for all MPPs, you'd have to have your head in the sand if you haven't heard that from your constituents.

The member from Essex wanted to know how we feel about free enterprise. Certainly, our party is very much pro free enterprise and pro reducing red tape where it's just in the way of people running their business. I know, I met with golf course companies last week—the golf course caucus—and their number one concern was all the red tape involved in the golf course business that was taking time away from actually running their business but not necessarily accomplishing something. So I think, in this province, we do need to streamline the red tape, and allow people who are in business to be actually able to go and do their business to serve customers and make money. That's what makes the world go around, in the province of Ontario, so we need these businesses to be successful.

Mr. Speaker, I'm pleased to have had the opportunity to speak this afternoon.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Ms. Teresa J. Armstrong:** I rise today to speak on the government's G55, Stronger Protection for Ontario Consumers Act. I thank all the speakers on this bill so far, and I am eager to add my thoughts and comments to theirs.

While most of the measures in this bill are extremely small steps, we look forward to strengthening this bill through committee work. One thing this bill accomplishes is that it sets out the framework for consumer advocacy, which the people of this province need badly. Too many Ontarians are faced with marketplace problems each year. Rising costs and stagnating wages leave more and more people in highly vulnerable positions.

We also are seeing greater numbers of people being denied access to government-funded services intended to support them. Ontario's consumers need an advocate who they can connect with easily, and more importantly, someone they can connect with in person.

**1530**

Let's take a look at this bill and how it's going to help Ontarians.

Schedule 1 amends the Collection Agencies Act to regulate debt settlement services. Debt settlement agencies act on behalf of the debtor in their arrangements or

negotiations with creditors, in return for some sort of fee. Some companies that provide debt settlement services offer to dramatically reduce a person's debt by negotiating with their creditors provided the consumer pays a hefty upfront fee. However, for some consumers in financial difficulty, this upfront fee can force them into more debt. Also, there is no guarantee that there will be a satisfactory outcome. The bill proposes to prohibit the payment of upfront fees before the services are provided and to limit the amount of the fees charged overall. Both of these limits would be set by regulation. It would also allow debtors to cancel their agreement without reason within a 10-day period after receiving a copy of the agreement. Finally, it would prohibit misleading sales practices and advertising. If companies fail to follow these rules, the new legislation would enable the revocation of their mandatory licence.

Again, my concern and my party's concern is that these measures do not take into account the most vulnerable in our society. Newcomers with literacy or language challenges will continue to struggle to know this service exists, let alone take advantage of the service, and those living with disabilities or who have poor access to transportation or communications like the Internet or the telephone will not be able to readily access these services.

I will agree that these baby steps are a start in the right direction, but once again, I wish this government could add greater protections for Ontario's consumers before they bring forward partially thought-out legislation. If they really intend to protect consumers, then why not take full measures to protect them? Real protections for vulnerable consumers would include enhancements and access to legal aid funding. The provincial government should conduct a review to initiate reforms that will ensure an appropriate share of legal aid gets apportioned to the support of vulnerable consumers facing consumer protection issues.

Consumer legal aid across Canada, such as education, information dissemination, summary legal advice, assistance in filling out Small Claims Court forms, representation in Small Claims Court on consumer/debtor issues, referral to government for enforcement and resolution, or mediation by phone, must be enhanced and supported directly and indirectly to enable consumers to engage in one-stop shopping on consumer issues. These are the kinds of supports that ensure that everyone, regardless of financial status, can feel the consumer protection under the law they deserve.

Looking to schedule 2 of this bill, I think it represents another good step. This schedule attempts to curb aggressive door-to-door water heater rental sales tactics by (1) doubling the existing 10-day cooling-off period to 20 days for water heaters, providing consumers more time to consider their decision, (2) banning delivery and installation of water heaters during the new 20-day cooling off period, and (3) allowing rules requiring companies to confirm sales by making scripted and recorded telephone calls to the consumer.

For me, personally, I am glad to see that this bill will also include language that demands that key contract terms are disclosed in clear, easy-to-understand language. The consumers of Ontario have been asking the government to take a stand on contract language for years. Whether it is credit card companies, cellphone contracts or, as we are discussing here, water heaters, the time has come to recognize that consumers are left vulnerable every time we prioritize the needs of companies over the needs of a family.

Finally, I hope we all agree that providing new customer protections when the rules are not followed, such as requiring the supplier to pay all cancellation fees when the 20-day cooling-off period is not observed, is a fair response.

One of the most important discussions we need to have about this bill is the necessity of funding to support awareness of services available. A greater awareness of services must be available to consumers locally, and government must be responsible for ensuring there is appropriate media publicity and better education. This can be achieved cost-effectively by allocating a share of federal consumer protection spending to fact-based consumer organizations to support consumers' rights days, promote media exposure of consumer issues or host public forums that reach many people. For example, more public legal education could be provided through mass media, including ethnic radio, TV and newspapers; workshops at community centres; easy-to-read plain language pamphlets and brochures in various languages; and posters with consumer rights and obligations placed in bus shelters, subways and other high-traffic public places.

We must also teach this consumer education in schools. All provinces of Canada should consider, encourage and adopt the teaching of consumer protection and awareness in schools, starting in grade 6, when children start to become consumers in their own right, and in higher grades in the areas of money management and the wise use of credit, with consultation, co-operation and determined support of those federal and provincial authorities constitutionally responsible for the proper functioning of Canada's financial services systems.

Lastly, we need stronger remedies for market failure and marketplace misconduct. Government must respond rapidly where the market fails to deliver needed consumer products and services. Where marketplace misconduct occurs, corrective action and remedial measures must be swiftly engaged; these must be fully compensatory and provide an adequate deterrent to further misconduct.

Mr. Speaker, there is much to say on this bill. For now, I'd like to ask every member of the Legislature to support this bill but agree to strengthen it in committee. The people of the province are facing enough challenges, and they are counting on us to make their lives fair. Amendments to this bill can help provide that fairness, and it is our duty to ensure that they get just that.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Yasir Naqvi:** I'm honoured to speak in response to the member from London–Fanshawe on Bill 55, which focuses on providing stronger protection for consumers in our communities.

I am very much in support of this bill. I can tell that some of the key things this bill is trying to strengthen, in terms of consumer protection, are things I have heard on a frequent basis in my community in Ottawa Centre. One example alone is door-to-door sales around heating equipment and water heaters, something we have heard on a regular basis, which my community office has helped constituents with on a fairly regular basis, unfortunately.

I think we know, and as has been mentioned in the House during debate on this bill, that what we find, of course, is vulnerable members of our community, especially seniors, being subjected to a lot of these illegal practices. By passing a bill like Bill 55, we are of course creating better protection for them.

I think it's incumbent on us to take these steps. I encourage all members, given the length of debate that has taken place on this bill, to pass this bill so it can move on to committee for further improvement and then passage, so that we can provide the necessary strong consumer protection needed in our communities; especially in mine, Ottawa Centre. Thank you very much, Speaker.

**The Acting Speaker (Mr. Ted Arnott):** The member for Bruce–Grey–Owen Sound.

**Mr. Bill Walker:** It's a pleasure to offer my comments in regard to my colleague from London–Fanshawe's remarks. I think she always comes here, first and foremost, thinking big time about the granddaughter she had just a little over a year ago when we first joined this House.

I think we agree on a lot of things. There needs to be greater awareness of the services and what you're allowed to do and not allowed to do. Talking about the cooling-off period, which is very applicable, I think it needs to be longer, because 20 days still isn't enough for some people in many cases, especially if there's a high-pressure salesman at the front door with our vulnerable seniors.

She supports consumer rights. Of course, how would I not do that? It's what the whole bill is about. She suggested some public forums and better public education so people are more aware of the types of scams and high pressure that's out there.

Her last comment that I picked up on was that there needs to be a lot more focus to address marketplace misconduct. This is one that I think is very appropriate in the time that we're now speaking, because in the last week we've talked about the gas plants and what the Liberal government has done to actually delete very serious information and information very pertinent to what's going on.

**1540**

Mr. Speaker, I believe you might have been one of the first people to raise that issue, so you'll pay very close



attention to this, I think. This is absolutely critical that we have that, and again it's part of the job of us as opposition—which you should be doing as well—holding that government to account, to make sure that they cannot do these things. That's a fundamental part of our democracy, that we have to be standing up and presenting that information, which truly belongs to the taxpayers.

I looked at this Consumer Protection Act a little bit, but we really have to get back to the fundamentals. That's a very principled thought process, that they've been able to get rid of documentation. Now we've had to call on the OPP for a criminal investigation. We're talking about this like this bill, which are a step in the right direction, but at the end of the day we need to step back and really look at the fundamentals of what we're doing. It's why we stand on conviction in regard to the budget. We cannot support a government that is so corrupt and has mismanaged our province for the last eight years. We continue to do that and will continue to do that.

**The Acting Speaker (Mr. Peter Tabuns):** Questions and comments?

**Ms. Cheri DiNovo:** It's a pleasure to stand and address the member from London–Fanshawe and her comments. Absolutely—we have all said this many times this afternoon—we are supporting this bill; everyone in the House is. The question is to strengthen the bill when it gets to committee, and that's what I think we're all on board for doing.

This gives me a chance, though, to talk about an omission in the bill, a very glaring and serious omission when it comes to protecting consumers in the province of Ontario, and that is, there's nothing in here about payday lending companies. Many years ago, many times—and I will do it again—I tabled a bill to cap interest rates at 35%. Currently, if you go into a payday lender, you're going to be paying about 544% interest. That's called usury in most jurisdictions in the world but not here. In fact, it used to be called usury throughout Canada when the federal government was in charge of this file. Now that it's been downloaded to the provinces, the province of Ontario has decided to redefine usury and basically get rid of the concept entirely. This is equivalent to legitimizing theft, quite frankly—544% interest.

Now, to be fair, there were some slight revisions made because of the bill, because of the pressure, because of the good work of organizations like ACORN. It used to be 800% to 1,000%. Wow, we're getting better. But it could be, of course, what they have in other places, in particular Quebec, where interest rates are capped at 35%. Guess what? You don't have any payday lenders in Quebec because of that simple law. That's what we need here. That should have been in this bill, this omnibus bill for consumer protection, but it's glaringly absent. Certainly I would encourage the government to please add that in. The time is now. The time to do that is always the right time.

**The Acting Speaker (Mr. Peter Tabuns):** Questions and comments?

**Hon. Madeleine Meilleur:** Mr. Speaker, there has been more than 11 hours of discussion of this, so if we care that much about protecting our vulnerable citizens, we should move that to committee.

**The Acting Speaker (Mr. Peter Tabuns):** Further debate?

*Interjection.*

**The Acting Speaker (Mr. Peter Tabuns):** I'm sorry. Reply.

**Ms. Teresa J. Armstrong:** Thank you, Speaker; and you're doing a great job, yes. I just want to make sure.

I understand that the member opposite may feel that there's been enough discussion on the bill and wants to push it through, but this is democracy, and if we have a lot of time for debating this bill and if people want to get up and speak, I say the more power to them.

*Interjections.*

**Ms. Teresa J. Armstrong:** That's right. And as they speak to this bill, if something else comes to their mind or they just want to make sure they drive that message home to this government about the things that need to be improved in this bill, then they need to listen and they need to understand that it's not just one person saying it. There's 36 members on this side and 18 members on this side, and it's very important. That's part of the process that we have here in the House, which I respect, really respect fully, that even though you might get tired of hearing something, sometimes that's when you should open—and I've said this before—should really listen, because once you turn off your opportunity to hear messages, that's not helping the bill.

I'm glad to see that all—I have heard everybody here in the House is going to be supporting the bill. But as we said, it needs a lot of strength, it needs a lot of muscle when it gets to committee. I hope when it gets to committee we're going to do that really hard work and actually enforce the words of the bill, which is protect consumers: G55, Stronger Protection for Ontario Consumers Act. I hope that's going to be the intent of the bill and I hope the outcome is going to be that when it gets to committee and we have good, strong debate on that.

**The Acting Speaker (Mr. Peter Tabuns):** Further debate? The member for Bruce–Grey–Owen Sound.

**Mr. Bill Walker:** Thank you, Mr. Speaker. That allowed me a few more minutes to prepare. It's my pleasure to speak to Bill 55 on behalf of the great constituents of Bruce–Grey–Owen Sound, An Act to amend the Collection Agencies Act, the Consumer Protection Act, 2002 and the Real Estate and Business Brokers Act, 2002 and to make consequential amendments to other Acts.

Speaker, of course we as a party want to protect consumers. That's an absolutely key tenet of why we would be here and it's why we write legislation—to do that. What we need to ensure with all legislation, as I've said in this House before, is to make it very clear and discernible and as simple for people to understand as possible, and that truly is helping to ensure that the

consumer is protected. That's why my colleague from Prince Edward-Hastings is actually our red tape critic, because he's trying to get rid of that bureaucracy and legislation that is just hand-tying our economy and the people of this great province. Speaker, it's very much that we want to be here; we need to ensure the confidence of consumers.

I've said a couple of times already today that this government, the Liberal government, over the last nine years has actually decimated the trust and the confidence of the consumer in Ontario. We're in the most dire financial circumstance of our history. They're facing an \$11-billion deficit; they're adding \$1.9 million per hour to our debt.

*Interjection.*

**Mr. Bill Walker:** There are 600,000 people out of work today. Thank you to the member from Orléans for helping me with that, because yes, those people are the ones that we're standing here for today. We need to do things to turn this province around so that those 600,000 people who don't have a job today have hope and have trust in the government, that they are doing the things to ensure that that will happen.

We need to ensure that there is that protection out there and that confidence. It's a double-edged sword, I believe: If consumers have confidence in their government, then they're going to go out and willingly buy those things; they're not going to have to succumb to peer pressure from a salesman who's at the door applying those pressure tactics to them. We'll talk about that a little bit further in my notes, as far as some of the things that this bill addresses.

I will give compliments to the Minister of Consumer Services for bringing this to the table. It is a step in the right direction. I think in many cases that it didn't go far enough. The hope from our party was that we would support it and take it to committee, but we just learned in the last week and a half that there won't be any committees—if you will, Speaker, another mini-prorogation. If I recall, you've spoken to that a couple of times in this House with a bit of disappointment as well, Speaker.

So now we're going to have a summer session where, again, there's nothing being debated, there's nothing moving forward in this government, and that's shameful, to be absolutely honest. Our job is to move this province forward, to ensure we're always doing our job to represent the people that send us here. It truly is an honour and a privilege to serve those people, and it bothers me to no end that we continually run into these roadblocks and yet in the public we hear all the window dressing of how wonderful they are and how closely guarding the province they are.

We talk a little bit in this bill about debt collection and debt settlement—again, a good step forward. They suggested that there have to be contracts in writing. Well, that only makes sense. Most deals and—back in the good old days, a handshake did prevail, but in our litigious society and the way things have become with this “me, me, me” society, we need more of that. We need people

to be able to know exactly what they're signing on to; put it in black and white and keep it as simple as absolutely possible. It's good that that's there.

But there's nothing in the bill about prohibition of upfront fees; there's nothing in there that really stops them from doing that. They say that they're solving the problem, Speaker. This is a typical thing that I found since I've been here with the Liberals. They tried out the 30-second sound bite that makes the world think that they're solving all the ills, but when you actually read the detail, they haven't even, most of the time, thought through what the impact is going to be.

In this case, I find it interesting that there's nothing in there that actually stops the collectors from harassing someone who actually has signed on to a plan. They've gone to a debt collection agency, in fact, and done the right thing, the honourable thing and said, “Yes, maybe I overstepped my bounds. Maybe things changed in my life, and I have the ability now to put a payment plan in place, and I will do that.” These people still continue to harass and do that. Why was that not in the bill? It's pretty fundamental, if you're truly sincere about helping the consumer. That's one that I have a concern about.

We need to ensure that that debt settlement is not lost. Again, I'm going to reiterate a number of times in my 35 minutes that I get to speak here today that there should be those types of provisions put into the bill to ensure that we truly are protecting the consumer.

Schedule 2 goes on to talk about door-to-door sales; specifically, it's been referenced, water heaters and the aggressive water heater sales. A number of my colleagues have talked about and I certainly get written submissions from my constituents saying that they've had this type of harassment. At the end of the day, this water heater is almost more than their mortgage bill, almost more than their energy bill, but I don't think it quite got that high, in any case, yet.

**1550**

It doesn't, again, address anything in there to actually stop exploiting these vulnerable people. It's pressure, pressure, pressure, particularly on the people who don't have the wherewithal, probably, in many cases, to pay these exorbitant fees—and the challenges.

The lacking part for me, the biggest part, is that there was no recourse. If someone signs under duress because of one of these heavy-handed pressure sales tactics, they have no ability to go back and say, “Look, I didn't really understand what I was doing. I didn't have any time to think about this.” So there are a lot of things.

They put in a 20-day period now—if this bill gets passed; if there were committees, it might actually get passed—but at the end of the day, what about if you've already signed? What if you've already done the deal? There's no recourse to go back and mitigate that. I think, again, that's a very glaring piece that has been left out of this bill.

Tank return practices: Again, they have a \$100 fee already in there, and basically they don't even have to answer to you why they put the \$100 fee in.

Again, I don't want to get off topic too much, but it almost sounds like the Liberals and the gas plants: "Well, we did this. We deleted those emails. We purposely set up Gmail accounts. But we don't really need to answer to that, because we'll just trot out the House leader to say, 'But you guys were going to build these plants too. We've gone over this. Just sweep it away and let us get on with it. Let us keep running the way we have down these tracks.'"

Absolutely not. That is not going to happen while we're here, certainly, as our caucus, standing up and defending the rights of our constituents.

They did put in a 20-day period so that you can give it some thought and some consideration. But again, I have an 85-year-old mom who lives on her own at home—lots of experience, lots of wisdom; a wonderful, wonderful lady, obviously—but this type of thing, at her age, is starting to get to the point where she's not really picking up on all the innuendo that's put in them, all these little hidden clauses that are built into contracts. In her case, what she really needs is time to sit down and review that with someone else. So it's a good thing. Twenty days may still not be enough in many cases, so I think that could be certainly improved.

The government is willing to regulate frustrating cancellation procedures in other industries, but why not with the water heaters specifically? Again, if they truly thought this out and had a really solid piece of legislation, why would they not have put that in there to protect people in that case?

Real estate is schedule 3. Again, I think there are some good things in there. What I like to see is that they're actually suggesting that you have to put any of your offers in writing. I've bought a couple of houses in my short lifetime so far, and you always had that situation where someone came and there's another offer that's been put in.

I want to stand up for the realtors in Bruce-Grey-Owen Sound. I know a number of them, a large number of them, in my constituency and they're all very reputable people who are professional in every manner there is. But there are deals out there that we've all heard of, where there are unscrupulous people trying to drive up the price, and bidding wars, as we call them, and this will certainly somewhat negate that.

However, again, this bill didn't go far enough. It did not put in a full cost-disclosure provision. It needs to be the whole deal, so that, when you're buying the biggest purchase you're probably going to make in your lifetime, you have confidence that you know exactly what you're signing on to. You know we've talked about people getting mould in their homes because it was done in a hasty decision and a pressurized sales environment. We need to understand that that's not going to happen in the future.

It's a bill that, again, I think, is a step in the right direction. I think my colleague from Barrie—some people on the other side are calling it the gateway to northern Ontario; some are calling it northern Ontario.

I'm not certain where that came from. But anyway, he's a great representative for his constituents, and he shares all the time that much of what the Liberals are bringing out is window dressing. There's that 30-second clip, that 30-second sound bite, that sounds good if you just don't happen to read the rest of the article or you just take it and run.

That's what they're doing. They're doing a lot of this spin, this 30-second "We're going to save the environment because of the Green Energy Act. We're going to close gas plants and we're going to delete emails, but just sweep that aside. It's only \$900 billion"—billion with a B. "It's not that consequential, really, because we got two more seats and we got another year or two to govern, and then we have a budget that's going to get passed with the help of the pop-up NDP."

It scares the daylight out of me that they're going to actually continue to do these types of things and this mismanagement, and they bring out a bill like this to distract us. What we should be talking about is how do we prop up a government—and we will not do that, as the PCs—who have mismanaged our economy, who have doubled the debt, who are going to have a \$411-billion deficit.

Our grandkids and children are never going to pay off this debt if we don't soon turn it around. Those pages in front of you are going to suffer more than anyone else, because they don't even have the hope to turn this thing around unless somebody steps up at some point.

Getting back to the bill, I think it's a step in the right direction. I think, again, it's a lot of window dressing without a lot of thought and detail that has been built into it. We generally would be supportive of sending it to committee. But as I've shared with you already in the House today, Speaker, my understanding is that there aren't going to be any committees this summer. It's going to be a mini-prorogation. The Liberals, as we all know, prorogued the House a number of months ago, of which the NDP are supportive, because they're giving them another shot at this by passing the budget.

We are going to stand on principle. We are truly here to say, "You know what? Enough is enough. We're going down the wrong track. You've put our province in dire financial straits. We need to do something to turn this around." We're going to stand on principle. We will not support the budget. We will move this to committee; it'll never go anywhere. It's like a lot of the things the Liberals do; it's just window dressing.

Speaker, thank you for the opportunity to share my thoughts.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Catherine Fife:** It's a pleasure to stand up, actually, and talk about consumer protection in the province of Ontario. It's always interesting to hear the Conservative perspective, because they had an opportunity, actually, to make the budget better and chose not to. Yet every time you stand up and you say, "You know what? We just need to go to an election," I think that you're

ignoring the fact of the matter. The reality of the province of Ontario is that minority governments actually may be the future of this province.

So the people who live in this province and who pay taxes expect us to work. They expect us to show up and get something done. If that means working with the existing government and furthering the goals of the people of this province, then so be it.

On this particular bill—we've been very clear on this. It needs to be strengthened. That said, I want to actually share a story from Kitchener. It actually highlights the reason why this legislation is needed. Kitchener Utilities came into my office and they said the experience that they have been hearing from consumers door to door has been almost—it's been threatening for them. What they've heard is that from January 2012 to date, Kitchener Utilities has taken over 600 calls regarding door-to-door marketers in Kitchener. Also during this time period, 241 consumers have switched to another rental heater provider because they have been duped. This happens. The real-life experiences of Ontarians are that the marketers are getting more professional and more polished, so they need to be protected. Legislation is needed on this front.

We look forward, actually, to it getting to committee so we can actually strengthen it. We look forward to that work because it's actually in the interest of the people of this province. Thank you.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mrs. Laura Albanese:** I would like to point out that we've had more than 12 hours of debate now on Bill 55. I appreciate all the members' comments, but at the same time I believe all three parties are in agreement, and we should be sending this to committee. Let's send it to committee.

What the member from Bruce–Grey–Owen Sound said about the committees meeting this summer is not completely correct. The House leaders are still talking. The justice policy committee will be meeting every week, every Tuesday, in June and August. There are committees meeting. So let's send this bill to committee. Let's hear the voice of the people of Ontario through public hearings.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Rod Jackson:** It's a pleasure to rise and speak to the member from Bruce–Grey–Owen Sound's comments. His yellow-lined papers are always an interesting addition to the process here. We're speaking to the Consumer Protection Act. Certainly, it's something that's of great consequence and great interest to all of us who sit in here who have all our constituents that come to our offices and have concerns about whether it's water heaters or just aggressive salespeople.

In fact, in Barrie, an extreme case: One woman actually was murdered by an aggressive salesperson several years ago. I know it's an extreme case and probably over-illustrates the point, but the fact remains that there needs

to be some parameters set around what happens when we're not protected entirely with the Consumer Protection Act. We all have stories about being approached in our driveways or at our front doors by aggressive salespeople with the water heaters and selling electricity—one-price electricity. We all, I think, in this House, because of the constant stream of complaints we get from our constituents, know that they are scams or they're not appropriate and many times, actually, rude. We know better, but it's because of where we are and where we sit and the types of business that we're in. But there are a lot of people out there, seniors and those who are more vulnerable, who don't understand that. So this act kind of starts us down the path of understanding that there are people out there who need to be somewhat regulated and given some parameters on how they can behave and act. I think any decent industry and anything that protects consumers from being taken advantage of is welcome.

But there is a line; there is buyer beware. I think this bill actually needs to go a little bit further in some cases.

**1600**

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Teresa J. Armstrong:** I listened also to the member from Bruce–Grey–Owen Sound, and the member from Barrie just now with questions and comments.

Yes, it's absolutely true that there are going to be salespersons coming to your door who are aggressive, who are pushy, but there are also lots of salespeople who come to your door who are very friendly and they're very informative, but you can still feel that pressure, if there are vulnerable people behind the door like seniors. So they have a nice, friendly face, they're very warm, they explain things to you, but a senior still has that difficult time understanding what they're actually getting into when they sign on that dotted-line contract. That's where that extra extension, where people have that time to be thoughtful of what they've signed and what they're actually purchasing—and as he mentioned, his mother is elderly and she might need time to call her relatives, her sons and daughters. We know today everybody is busy; you may not get a hold of them within that two-day period. So that extra extension is good so that they can have that consultation with their family members. It's a good thing. I'm glad to hear the Conservatives talking about protection of consumers, because many times in this House when there are bills with good initiatives, they have voted them down without wanting to send them to committee and maybe make them better, even though they may not agree with them. That's okay; that's their prerogative, and we respect that.

I'm just glad to see that this is something that everybody here in the House is supporting and that we all agree that we do need, in this day and age, better consumer protection. There are so many products out there. Electronically, it's like going through a web, trying to find your way through the instruction book, let alone a sales contract, when you're dealing with electronics or any kind of services that come to your door.

I'll glad to see that the Conservatives are in support of that, and I look forward to when it does get discussed further.

**The Acting Speaker (Mr. Ted Arnott):** I'll now return to the member for Bruce–Grey–Owen Sound for his reply.

**Mr. Bill Walker:** It's great to hear some feedback from my colleagues.

The member from Kitchener–Waterloo: I do find it a little bit rich, though, that she's talking about us not wanting to make things better. I think there's a little bit of opportunism going on over there. At the end of the day, they call the government corrupt every morning in question period, and we know they're going to prop them up. So you can't have it both ways; you just can't do that. If you truly want to protect the consumer, you should really stand up for the consumer and your voter.

The York South–Weston member: I'm glad there was some clarity there that there is still discussion going on about committees. It would be really nice to know that the government House leader from the Liberals and the government House leader from the NDP are going to actually work to keep things moving, because I know our House leader, the very experienced Jim Wilson, has done a great job. He's there every day trying to make this place work and trying to ensure that we can continue to move forward on behalf of the people of Ontario. So I'm glad to hear that. I'll believe it when I see it, because I think we've heard this coalition talk before, and we'll see where that goes.

The member from Barrie: I think what he really brought to the table was that he talked about the consequences that consumers will suffer. That's what really should be here, but I think we need to take it on a bigger perspective.

The London–Fanshawe member talked about how she's glad to see the PCs supporting—that we don't always want to work with them; we don't always want to listen; we don't always want to give input. I will challenge her on that. We stand here on principle every single day doing what we believe is right for the people who sent us here to Queen's Park. We will make sure that we do the right thing. We won't do it for our own self-serving needs, and we won't form sound bites just to look good on TV.

This is about consumer protection, and I wish one thing we could do in this bill is move it to a much broader mandate, so that it would actually protect the taxpayer from a Liberal-NDP coalition. Think about the Green Energy Act, which they both supported; it has taken away the democratic rights of the people. What about Ornge? What about the gas plants and the destroying of documents that's being supported if this government retains power? And what about doubling the debt? That's \$411 billion, and the kids of tomorrow are going to pay that debt. We will stand on principle and definitely want consumer protection from that perspective.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Randy Pettapiece:** I'm pleased to join the debate today on Bill 55, the Stronger Protection for Ontario Consumers Act. As has been stated before, maybe this should be changed to Stronger Protection for Ontario Taxpayers from this Current Government. That would probably be a better title for it.

It has a catchy, feel-good title, but it's very short on detail. The Ontario PC caucus is, in general, in support of this bill; however, it needs to get to committee so it can be fine-tuned in order to better protect consumers.

This bill is just one of a long list that this government has brought forward to deflect attention from their scandal-plagued administration. They try to do anything to avoid accountability and deflect blame. They don't want the people in Perth–Wellington, and indeed all of Ontario, to know about Ornge, eHealth, gas plant relocation costs and certainly their failed Green Energy Act. As the Information and Privacy Commissioner said last week, they don't want people to know about Liberal staff destroying evidence by deleting emails that are part of the public record. That is why the Ontario PC caucus asked for the OPP to investigate, and they are.

The Minister of Consumer Services has brought forward this bill to try to change the channel, as the saying goes. Her government wants people to forget about the failures of the McGuinty-Wynne government.

This government must ensure consumer protection legislation that creates a safe and trusting business environment. We have had many bills in this session, and in the last session as well, that are heavy on presentation but certainly light on detail. Bill 55 is just another example of this.

Speaker, a few weeks ago I spoke briefly to this bill in my response to my colleagues, and I am pleased to have the opportunity now to address the bill more fully. On May 1, I talked about something that happened in Perth–Wellington and how consumers are not being protected by this government. This issue has to do with selling solar panels. In fact, I have a constituent in my riding right now who is not hooked up to the grid after buying a solar panel a couple of years ago. I want to tell you a little bit about this story; this is what happens when you offer too much money for something.

At the time, they were offering 80-some cents for hydro from a solar panel. Of course, everybody jumped into this game. She was approached by a salesman who said he was in the solar panel business and that she was going to get 80 cents for her power. So she signed a contract with the man that day and gave him half the down payment—that's about \$50,000 that she gave him. The final payment was to come after construction, which was to be in September; the initial signing was in the spring.

Then she finds out there are no hydro lines to hook to the grid. There were property owners on both sides of her who hooked up to the grid at that time, but unfortunately, it didn't come down to her place. She called the salesman and said, "What am I going to do? You have sold me this solar panel, and I can't hook up to the grid." He said, "It was up to you to do this."

She ended up paying the rest of the cost of the panel, which put her over \$100,000, because that was in the contract. She has a structure beside her house doing nothing. And this company went out of business, because he had so many people jump into this thing, unfortunately.

She says, "It's partly my fault. I should have done my due diligence." But there she is, \$100,000 shorter. She had to borrow the money, and now she doesn't get any return on it. This is certainly a product of the government's Green Energy Act, and there are many people such as her who are suffering right now over that.

There's something that falls under the jurisdiction of the Minister of Consumer Services that she should be acting on—I have raised this issue before, and so far nothing has been done. That's what bothers me about this bill: What's going to be done if it ever does get to committee? It has to do with the recertification of grain dryers by the Technical Standards and Safety Authority, known as the TSSA. The Grain Farmers of Ontario have told me about their frustration with this issue. They know that the TSSA is not a timely and responsible organization.

1610

Speaker, I'm sure you know, coming from rural Ontario as you do, that when crops need to be harvested, they need to be harvested. They cannot wait for an inspector from Toronto to come to their farm and inspect the grain dryer if they have to make repairs to it. They certainly can't afford to pay the expense of inspection fees. This has been raised by myself and by other members of our party, and we have seen nothing done so far.

It can take up to three months to get an inspection done. This is very critical when you're trying to dry your crops, such as corn, because if the equipment has to come from the United States, then you have to bring that dryer in, or the equipment in. Unfortunately, then you have to get the inspector out there. Crops, when they're ready to harvest, are ready to harvest. That's the short and long of it. You have to get it done.

Unfortunately, farmers in my riding, and certainly in ridings all across rural Ontario, have to face this, and they're certainly not pleased. However, this minister, for some reason, is not getting anything done.

The member from Stormont–Dundas–South Glengarry, our consumer services critic, has done an excellent job in monitoring this ministry and holding them to account. He has talked about how the government isn't really getting to the root of the problem with water heater service contracts.

Bill 55 proposes to double the cooling-off period for people who have signed water heater contracts. However, that may not have gotten to the root of the problem. If the purpose of Bill 55 is to protect the consumer from incurring high cancellation fees, the problem is the fees, rather than the cooling-off period.

As my colleague the member from Stormont–Dundas–South Glengarry has told this House, Bill 55 is a treat-

ment, not a cure. We need to strengthen the ministry's enforcement tools and ensure consumers have recourse beyond the court system, because often the ones who get into trouble are the ones who can least afford a lawyer.

Last year, the Ministry of Consumer Services received 3,200 written complaints from consumers about unscrupulous business practices. There are many more consumers who do not complain. Many of them are seniors who are afraid to complain. They are often embarrassed that they were taken by a door-to-door salesman, and they do not want people to know.

Just last week I heard about a senior who was duped at the door. This lady is a widow; her husband took care of maintenance around the house. So when a salesman knocked on her door, she trusted him and felt that his claim that repair work was needed was true. The company claimed she needed insulation around the basement of her house, the type of black tar paper or vapour barrier that you sometimes see. It turned out that instead of using quality products, the company simply stuffed newspaper and other garbage around her foundation.

She called her daughter in tears, knowing that she had been duped. It was a very unfortunate situation, and she had no recourse, as she had already paid for the job.

People in my riding of Perth–Wellington are frightened. They're frightened of the high debt this province has piled up. They're afraid of hydro bills that keep increasing; they've doubled over the past number of years, since the Green Energy Act has been put in place, and they're suggesting—many consultants are suggesting—that these rates are going to increase and they're going to double in the next four or five years.

These are seniors on fixed incomes. They are people who maybe don't have the jobs they would like to have and can't afford some of these fees, and the high debt interest charges we're talking about—\$11 billion a year. This is just incredible. They're seeing a government that deals in scandal after scandal over the past nine years or so and wonder why they haven't helped them. They are the very people who put us here.

There is no meat in this bill. They use words like "aspire." Let's think of some things to do to help with this. It's very wishy-washy. We need to get this bill to committee, we need to strengthen it up, and we certainly are supportive of that. I do wish that when the government puts bills before the House, they would have something of substance in them, more than they have been known to do in the past.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Jagmeet Singh:** With respect to this bill, G55, Stronger Protection for Ontario Consumers Act, I think it's pretty clear that we should stand for the protection of consumers in Ontario and that bringing forward legislation that protects consumers is a good thing. There are certainly areas in this bill that need to be strengthened, but we have all heard that time and time again.

What I want to make clear, and I send this message clearly to the Conservative Party, is that when we are in

this House and we are working toward making this province a better place for people in Ontario, when we are making bills and passing laws to try to improve their lives—and this is a step in the right direction, much like one of my colleagues from the Conservative Party said; that's true—we have to keep in mind why we are here. We're here not for political gain. When we talk about “opportunism”—the word was thrown around by one of the Conservative Party members—opportunism is the idea of making a decision on whether to bring down the government when you are looking for power or not looking for power. If that's the reason why you're looking to topple a government, if you're looking to topple a government to see whether or not you can win more seats—the member from Elgin–Middlesex–London said, you know what? The NDP could have gained seats if they would have called an election.

That's not why we did this. We're not looking to gain or lose seats; we're looking to make this province a better place. So when we talk about opportunism, that's opportunism: If you make a decision based on whether you will gain power or not, that's opportunism. If you make a decision to make the province a better place, when you put the will and the needs of the people first, that's not opportunism. That's doing our job. That's being an elected representative. That's caring about the well-being of the people we represent. That's absolutely not opportunism. So I'd ask you to look again at the word “opportunism” and think about what it actually means and whose actions represent opportunism and whose actions represent caring for the people.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**M. Shafiq Qadri:** J'ai le plaisir et, en même temps, la responsabilité de soutenir le projet de loi 55, Loi de 2013 renforçant la protection du consommateur ontarien.

I am, of course, privileged and honoured to follow my honourable colleague from Bramalea–Gore–Malton. Personally, I would have given him an A, but I also would commend him on his ongoing reprimand of—and the kind of internal dialogue between the PC Party and the NDP, I think, also serves the needs of Ontarians.

Speaker, this is a very important bill on a number of different fronts. We all have those individuals in our ridings, often elderly; there may be an English barrier, an educational barrier, even the naïveté, unfortunately, that exists still. I'll give you an example. One of my colleagues in this House was telling me earlier about how a high-pressure salesman appeared at her home and introduced himself and said, “Hi. I'm from the government of Ontario.” Of course, she returned the same self-introduction, and I won't elaborate on the rest of that conversation. But these types of practices exist, particularly, for whatever reason, with regard to this water heater issue. As was cited earlier, this is one of the top 10 complaints, with reference to these sorts of high-pressure water heater sales.

That's why we have some specific codifications of, I guess, fraud protection: requiring plain-language dis-

closure of consumer rights and key terms; prohibiting delivery during the extended 20-day cooling-off period, probably something the gun industry might take heed of; providing stronger consumer remedies when these rules are breached—as very rightly pointed out by one of my Conservative colleagues, there must be opportunities for recourse; better enforcement from the ministry's point of view; opportunities for remedy and complaints resolution.

Ultimately, Speaker, it's about fulfilling our mandate as the government of Ontario in protecting consumers across the province.

**The Acting Speaker (Mr. Ted Arnott):** The member for Bruce–Grey–Owen Sound.

**Mr. Bill Walker:** It's a pleasure, absolutely, to stand here and offer some remarks on the remarks given by my colleague from Perth–Wellington, our deputy critic for agriculture. I thought it was very appropriate that he brought a couple of things in there about consumer services that aren't in this and should be, because he's always defending the agriculture community.

He talked about the TSSA and the lack of services they actually provide in a very timely manner to our farmers. Those farmers are bringing in those crops that we need for our food industry. It's absolutely critical that that one has to be addressed. I would implore the minister to take that back under advisement and bring that in as quickly as they can.

**1620**

He brought another example of solar panels. What a travesty that that constituent, that lady from his riding, had to invest \$100,000 to get no return on it. That, to me, just exemplifies that they took this Green Energy Act and rammed it through for their own needs and their own purpose without good planning, because how could you ever permit that you didn't think far enough down the road to say to someone, “But you won't be able to hook to the grid for the power that we need”? You would have thought they'd have had that all planned out and this person wouldn't have had \$100,000 blowing in the wind, if I could.

He has commended, and appropriately so, our member from Stormont–Dundas–South Glengarry, who is the critic for consumer services and who has done an exceptional job of making sure that he holds this government to account in his portfolio and on this bill, very similarly. He has been kind enough to say that it's a step in the right direction but it's very, very much in need of more revisions and amendments. It would have been nice for us to be able to know that we're taking it to committee and that they actually will accept the input at a committee level, because in a number of the other committees where we've been there trying to bring good feedback, that certainly hasn't happened.

The biggest thing, I think, I took away that the member from Perth–Wellington suggested is that there's no substance to this bill; again, a couple of nice, little baubles—that's what we seem to get a lot of the time—but no substantive meat on the bones. We need to make

sure the legislation is always protecting the consumer and acting in the best interest of the people of the province of Ontario. It's very similar to our vote on the budget bill. We're standing for the people of Ontario in the long term, not just playing games with it.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Catherine Fife:** On this piece of legislation, Stronger Protection for Ontario Consumers Act, I think that we have to remember that there are some real stories in the province that all of us have taken responsibility for. Certainly, the consumers from Kitchener Utilities, in my riding of Kitchener–Waterloo, have come forward.

These are some of the issues. The legislation doesn't necessarily deal with them at this point in time. I think that if we were being honest, it's about a C minus, maybe a C, but we can make it better if we get it to committee. But customers are signing papers not knowing it's a water heater contract and are often being told lies in order for the marketer to obtain their signature. This is hugely concerning. It should concern all of us, actually, in this House.

Customers frequently call Kitchener Utilities after the marketer has already installed their water heater. When the utilities company gets the call, the customer then starts asking questions about process. That's where a piece of legislation should protect the consumer. That's why a waiting period actually is helpful, before anything gets installed, before any financial commitment has been made.

All of us are charged with coming to this House to try to get something done. Certainly, this piece of legislation will allow us to build in some supports for consumers. Also, though, in the broader perspective, it's part of the whole, right? When we look at what we got accomplished in this particular legislative session—I mean, at least New Democrats came to the table, put forward some priorities that people in this province identified to us, and we strengthened it through the Financial Accountability Office so that we don't have scandals that are coming forward from this government or from future governments, for instance; whereas the Conservatives came to this House and for two years have got absolutely nothing accomplished. So I can understand their frustration. What we are doing, though, is we're coming to the table and we're putting the priorities of people first each and every day.

**The Acting Speaker (Mr. Ted Arnott):** We return to the member for Perth–Wellington for his response.

**Mr. Randy Pettapiece:** Thank you, Speaker. I'm pleased to stand and respond, and I want to thank the members from Bramalea–Gore–Malton, Etobicoke North, Bruce–Grey–Owen Sound and Kitchener–Waterloo for their comments.

First of all, I want to make sure that this House knows that I am here for my constituents. That's why I'm here. That's why they put me here. To insinuate that I'm not is ridiculous.

The reason I'm here—it enforces my reason to be here—is to see what has happened in this last little while,

since I've been here. I see a government that, for some reason, can't find their way out of their problems without spending more money, throwing more money at them. Unfortunately, the members on my left here agree with doing stuff like that, and it's scaring people to death. Their hydro bills are going up. The cost of our debt is going up and, unfortunately, if this budget is passed, which it probably will be, the debt load on Ontarians is just going to be horrendous. I worry about that, Speaker.

This bill certainly should go to committee. I agree with that. But it is a wishy-washy bill and all it has done is try to deflect attention off this government and what the NDP are doing to support this government. That's all it is. I think the people of Ontario will see through that. More and more I get constituents in my riding wishing there was an election to put this government's misery to an end. However, it doesn't look like that's going to happen this time.

We have to certainly strengthen different parts of the bill, as has been mentioned by the previous speakers, and I certainly would support that.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

*Interjection.*

**Mr. Peter Tabuns:** It's very hard when your colleagues interject, Speaker, very hard.

**Hon. Liz Sandals:** That seems to be a theme that's been running all afternoon.

**Mr. Peter Tabuns:** I think it's been a theme for all three parties, Minister, all three parties.

I'm pleased to rise to speak to G55, the Stronger Protection for Ontario Consumers Act, 2013, although as you'll note from my comments as we go through, Speaker, this act needs to be a lot stronger than it is originally proposed before us.

Most of the measures that have been brought forward are very small steps, and many of these steps absolutely have to be strengthened. Clearly, consumers are going to need more than what's been presented in this act today.

For all of us, for the people of Ontario, for the legislators here, there will be an opportunity in committee to call expert witness, to call consumers who have dealt with problematic vendors—in fact, in some cases, predatory vendors—and have them help us shape a law that will truly protect consumers.

There's no question that Ontario needs a strong consumer advocate. Like you, Speaker, I have dealt with constituents who have had to fight their way out of unfair contracts, who have had to push water heater salesmen out of their basements; people who have had to deal with debt collection agencies that have treated them in a way that could only kindly be described as showing a total lack of respect.

Millions of consumers in Canada face problems in the marketplace each year, and a significant number of them are vulnerable consumers: the elderly, people who are disabled and have vision or hearing problems or don't have the education to properly understand what are often extraordinarily complex contracts thrust in front of them,



people for whom English is not their first language. All of these consumers are vulnerable to being taken advantage of. They need an advocate that they can access conveniently, someone who can help them seek assistance when they have to deal with unfair sales and unfair contracts, someone who can assist them in person.

When you look at this bill, the first schedule amends the Collection Agencies Act to regulate debt settlement services. Debt settlement agencies act on behalf of the debtor in arrangements or negotiations with the debtor's creditors in return for some sort of fee. Some companies that provide debt settlement services offer to dramatically reduce a person's debt by negotiating with their creditors, provided that the consumer pays a hefty upfront fee. However, for some consumers in financial difficulty, this upfront fee can force them into more debt. Also, there's no guarantee that there will be satisfactory outcomes to those efforts.

The bill proposes to prohibit the payment of upfront fees before the services are provided and to limit the amount of fees charged overall. Both these limits would be set in regulation. It would also allow debtors to cancel their agreement without reason within a 10-day period after receiving a copy of the agreement. Finally, it would prohibit misleading sales practices and advertising. This legislation would allow the government of the day to yank licences on companies that didn't, in fact, follow these rules.

**1630**

Speaker, I've received a few phone calls and emails from constituents who are aware of this act. One constituent wrote to me saying that they didn't have an objection to what was written in the act, other than the fact that it was inadequate to deal with the problems they were dealing with. They had run into debt. They had done their best to get out of debt. They had settled a large part of the problems that they were facing, had been able to honourably pay off debts they had incurred except for two that were left. They were subjected to extraordinary harassment by debt collection agencies, harassment in the form of up to 50 phone calls in a night, calls to their employer—those sorts of harassments which they could not get relief from when they went to consumer services here in Ontario.

It's pretty clear to me that although this small step is a useful one, there needs to be a lot more done. My hope is that my colleagues who get to sit on this committee when this bill is considered will be able to speak with the other two parties and bring forward fairly straightforward, practical solutions to make life a lot better for those who are dealing with debt and debt collection agencies.

The second schedule in this bill attempts to curb aggressive door-to-door water heater rental sales tactics by doubling the existing 10-day cooling-off period to 20 days and banning delivery and installation of water heaters during the new 20-day cooling-off period.

I have to say that for the last few years, I have been in my riding, talking to my constituents about electricity and gas contract companies, ones that go out door to

door, try to sell these high-priced contracts to people, telling them that it will give them greater certainty and protection against rising prices in the marketplace. Speaker, you should be aware that the Auditor General of Ontario has said that with regard to the electricity prices provided by these private energy marketers, the prices are anywhere from 15% to 65% more than what constituents would pay, what people in Ontario would pay if they just stuck with their local distribution company. That's an extraordinary amount of money. The Electricity Distributors Association calculated that if all those contracts were nullified and people just dealt directly with their local hydro utility, they'd save about \$250 million a year. That's a huge amount of money; that is a huge amount of money.

A few years ago in this chamber, we debated legislation on dealing with those electricity marketers. Unfortunately, the government wasn't really willing to take them on and get rid of them, give people the ability to sign out of those contracts on a month's notice. That would have had a huge impact. It would have saved Ontarians hundreds of millions of dollars. It would have reduced the need for any sort of regulation or supervision, because it would have eliminated unfair players from market. The Report on Business magazine that came out just in the last few weeks had an article about Just Energy and all their affiliated companies, and how they were taking a beating in the stock market because people had figured out that this was not a good deal for consumers. They couldn't sell these gas and electricity contracts to people anymore as money-saving contracts, because they weren't. They were selling them as "insurance," so, "Your price won't go above a level that's much higher than what the market is charging right now."

A lot of those companies have diversified into water heater rentals. When you talk to constituents who have had people bull their way into their homes, represent themselves as utility representatives, as utility repair people or advocates or people who are sent out to make sure installations are properly set up, you realize that a lot more is needed than just a 20-day cooling-off period. There needs to be aggressive enforcement against predatory sales practices. Frankly, some of these companies either need to shape up or be put out of business, because the way they treat the public is nothing short of predatory. This expansion of a cooling-off period is not a bad idea. I don't see why we wouldn't vote for it. But in terms of what the public needs for protection, it is inadequate.

This bill should pass second reading, it should go to committee, but in committee it needs a big, big rewrite so that, in fact, we aren't taking baby steps to protect the public, but we're taking substantial steps to make sure that people aren't paying 15% to 60% more on their electricity bills, so that people aren't getting stuck with hot water heaters that they're paying bills on to one company while the other company that had already provided them with one is saying, "Look, you've got to give me a notice period of a year. This contract's got a way to run."

Those are the sorts of jams people are being caught in now. Those are the sorts of things that are going to have to be addressed at committee so this bill does protect consumers.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Liz Sandals:** I'm please to respond to the remarks by the member from Toronto–Danforth. I, like him, have a constituency office where we often hear from constituents who have had encounters with door-to-door salesmen and have contracts that make no sense, and we end up trying to help them get out of the contracts that make no sense. I'm sure many of the MPPs here in this House, in all three parties, recognize that these door-to-door contracts also really don't match up to the promises that have been made by salesmen.

What I also hear is that I think all three parties support this bill, and given that we've now had 13 hours of debate on a bill that we all say we're going to support, what we really need to do now is get on with voting on Bill 55 and get it to committee, where any necessary adjustments can be made.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Jim McDonell:** I'm glad to rise to speak to the comments from the member for Toronto–Danforth, who put a lot of thought into what he said here. I don't agree with everything; I'm a little concerned with the idea that we should only have one incumbent. I think the record shows that competition is always a good thing. It drives down costs and tends to make people more efficient or they don't stay in the industry. But I do agree that there are some bad players out there, and the role of the Ministry of Consumer Services is to make sure contracts are such that they're fair and reflect what is needed in the industry, and to protect seniors and other vulnerable groups who aren't lawyers, aren't necessarily people with a lot of expertise in the field, who would need some help.

As well, when we're talking about contracts, I think the incumbents, whoever they may be—I think it has to be very clear in this bill, and we'll be looking at changes at committee to make sure there's an indication of just how much time is left on the contract and to ensure that when contracts are taken out, they're for a reasonable amount of time that allows the consumer and the provider a fair return. I've heard complaints that that's not always the case, so we want to make sure that's part of the bill.

As well, when you're talking about predatory sales tactics, we want to make sure that if there are problems in any industry—we're picking on the hot water industry, but I'm sure there are other industries that are affected as well, and we want to make sure they're covered off as well, because that's our job here. We want to ensure that we make it the best deal we can for the consumers, because we all pay for those in the end.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Sarah Campbell:** I am pleased to rise and comment on the comments that were raised by my colleague

the member from Toronto–Danforth. He has raised some very salient points about energy retailers in the province of Ontario. I just wanted to also take this opportunity to thank him for his tireless advocacy.

*Applause.*

**Ms. Sarah Campbell:** Yes, he absolutely deserves some applause for that.

**1640**

He has devoted a great deal of his time making people aware of some of the tactics that are used, as well as pushing for the crackdown on some of these tactics that are used.

It's also very relevant to this bill because this bill, which is supposed to be stronger protection for consumers, really takes the regulations that were put in place to protect consumers against energy retailer contracts, and it's really using that model and some of the reform that was done a few years ago now—about 2010—by this government and using that model to protect people against water heater sales.

But the problem is, and the elephant is, that that model isn't necessarily working. We are still seeing that the top 10 complaints at the Ontario Energy Board are things regarding the misrepresentation of the contract; high cancellation fees, despite this government saying that they've cracked down on some of those things; even the misrepresentation of the agent who comes to the door by claiming that they are representing a publicly owned utility when, in fact, they're not.

So there's a lot more that needs to be done. I think that it's a major shortcoming for this legislation to model itself after existing legislation that really isn't doing what it's set out to do. So I look forward to making some of those reforms at committee.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bob Delaney:** One of my favourite door-to-door stories is the person who showed up to at my door to try to sell me an electricity contract and said: "The government is forcing us to do" whatever it is. I had just gotten home from work and I pulled out my legislative pass and I said: "Really? I am the government." He just turned tail and ran.

So the point of it is that if you want to get rid of those door-to-door abuses, this is the bill for you. If you want to do so many of the very valuable things that this bill does, we've got to get it passed. To get it passed, we've got to get it to committee. Let's get it to committee.

**The Acting Speaker (Mr. Ted Arnott):** We now return to the member for Toronto–Danforth for his two-minute reply.

**Mr. Peter Tabuns:** My thanks to the Minister of Education, the member from Stormont–Dundas–South Glengarry, the member from Kenora–Rainy River and the member from Mississauga–Streetsville. It's interesting that almost all of us have had those problems dealing with energy marketing companies and now water heater rental outfits.

I have to agree with the member from Kenora–Rainy River that the model that's been used to deal with the

energy retailers has fallen far short of what is needed. It just is not adequate to the task. I know, in discussions with her, this is a big issue in the north; the retailers who have gone through and picked the bones pretty clean in the GTA have decided to fan out over the rest of the province. My guess is that you have vulnerable consumers as well.

Frankly, you don't have to have difficulty with English or with literacy to be taken advantage of by these people. I have constituents in my riding who I talk to—they've read an article that I put out about water heater rental companies or energy marketers—and said to me: "Really, I wish you'd been there last week." They were shocked that they'd been taken advantage of. They were shocked that they hadn't looked closely enough at the badge or the uniform, and listened closely enough to the words to realize that, in fact, they weren't dealing with a utility representative; they were dealing with a huckster.

With regard to the comments from the member from Stormont–Dundas–South Glengarry, there are a lot of situations in which competition can be useful; in this area, it has failed completely. This is an area where the competitive private companies are charging a lot more than the regulated public utilities. I don't see any point in continuing that approach to selling energy.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Rod Jackson:** It's a pleasure to rise in the House today and speak on Bill 55, a new consumer protection act. I believe this bill has good intentions and I think everyone in this House would agree that we must ensure that consumers can operate in a safe and fair business environment.

The importance of protecting consumers and ensuring best practices from our businesses has important ripple effects that stretch over our whole economy. If consumers are not secure in the knowledge that their rights are absolutely protected, consumption will go down and our economy will suffer. This is an economy that can't afford to suffer any longer. This government has already allowed it to skid off the rails somewhat. In the past 10 years of McGuinty-Wynne rule, Ontario's economy has suffered completely enough. In 10 years, our debt has doubled to \$273 billion. We spend \$11 billion a year servicing that debt. That's \$11 billion a year that could be going back into the pockets of Ontarians, paying for health care and paying for education, but instead it's being wasted to make up for years of Liberal mismanagement.

The Liberals have allowed the economy to stagnate and have overseen 75 straight months of an unemployment rate higher than the national average. To give them credit where credit is due, this Liberal government is awfully consistent in its inability to manage Ontario's economy. I'm not sure that they've improved at all since taking the reins in 2003. That's why I, myself, and the PC Party will always support protecting consumers while providing for an open and trustworthy consumer market. It builds confidence, increases consumption and improves our economy, which is in dire need of help.

Unfortunately, there are a few bad apples that muddy the market and prey on vulnerable consumers. We've all seen examples of this in all our different ridings. We absolutely believe that those businesses that take advantage of consumers must not be allowed to do so. Let's recognize that most businesses out there do a fantastic job. We are talking about a few bad apples, the odd percent here and there.

As this Liberal government should know by now, we always support ensuring more honesty in business and for consumers, just like we continue to be the only party that supports more honesty in government and for our taxpayers. That's why we certainly support the intentions of this bill. It does enact a few important protections for some vulnerable consumers and it goes part of the way to helping ensure a more fair marketplace. Unfortunately, it doesn't go all the way. It doesn't go the distance. We have a few suggestions for how to make this better and we hope this government will enact them.

One area where this government can improve consumer protections is the area of debt settlement and debt collection agencies. This bill does half the job. Certainly, some of the provisions do a lot of good. By putting all contracts in writing, consumers will be better protected in the event of an agency that wishes to take advantage of debtors.

The prohibition of charging upfront fees is another worthy change in the law. It helps ensure settlers will work with the debtors they are hired by, without being played by two sides.

We support these provisions, like much in this bill, actually. The problem is that it just doesn't go far enough. It needs to go that extra mile. This bill has taken on the entire tone of this Liberal government, which is the appearance of acting on problems without actually solving the problems. It's a lot of window dressing, as I have said many times in the past. It's taking a problem, recognizing it, and just not going the distance in making sure that we actually do what we need to do to solve it as a Legislature.

What about the provision that helps ensure collectors stop bothering debtors that have engaged a debt settlement agency? As of today, collectors will continue to call debtors at home, on cellphones and at offices in order to collect their debt, even when a debtor has employed a debt settlement agency to handle that affair for them. This partially defeats the purpose of working with a good settlement agency at all. Instead of giving debtors peace of mind that they'll be able to quickly and efficiently settle their debt, they continue to be called and bothered in these situations. It verges on harassment. This can only add stress to the consumer, and it can have a cascade effect on all Ontarians. The added stress can lead to health problems, family problems and even more economic problems at a micro and a macro level. Consumers should have the confidence that a settlement agency will do as it's supposed to do by handling all the calls from collectors.

This is just one area where this bill only goes halfway. We support the provisions that are there right now, but

there's no doubt that Ontarians deserve much better than half measures.

If we look at a recent Auditor General's report, we find lots of information about debt collection agencies. For example, the Auditor General found that 20 collection agencies averaged between 20 and 460 complaints annually between 2002 and 2009. In spite of hundreds of complaints, however, these agencies consistently had their licences renewed without the ministry even bothering to look into it. There's something where consumers need to be protected. That's something that should be in this bill. That's not what I call protecting consumers, and yet, even with the Auditor General calling attention to it, this legislation is devoid of content dealing with such issues.

#### 1650

This government recently committed to establishing a Financial Accountability Office. If they love independent officers and oversight so much, why have they ignored so many of the Auditor General's suggestions for improving the lot of Ontarians all over? Instead, I would suggest that probably what we would hear is, "Thank you for the Financial Accountability Officer's submission," and moving on in the same direction they always do. That's about the effect that we've seen of all the different accountability offices.

We hope that this government will listen to our suggestions for strengthening this bill in committee, as there's no doubt this bill could be improved substantially.

Another section of this bill that is much discussed is the section of the bill that's dedicated to door-to-door sales. It continues to be the trend of duct-taping a leaky faucet and only doing half the job.

Our member and our critic the member for Stormont-Dundas-South Glengarry has made it clear that we do not support high-pressure, on-the-spot sales or any such tactics that exploit any vulnerable consumers. These kinds of door-to-door sales can put pressure on the consumers without giving them the proper time to inform themselves of all their options and alternatives. That's not to say that all door-to-door salespeople are like that; let's be clear.

This bill attempts to address part of the problem of door-to-door, high-pressure sales by introducing a cooling-off period of 20 days before the sellers install new water heaters. We believe this is not enough protection for the consumers. We need to go further. A vulnerable Ontarian who signs a contract at the door needs more time than just 20 days to take care of outstanding issues with their suppliers. This is another classic example of not going far enough and this government not going the distance. Obviously, we support the addition of such a cooling-off period. We would like to see it be longer, however, and that would serve only to protect consumers even more.

This bill also fails to address another problem that we've all been hearing from our constituents: It does not provide for recourse for consumers who continue to be taken advantage of while cancelling or returning water

heaters. Minor damages to water heaters can be assessed fees without any explanation to the consumer, and the process for returning tanks can be time-consuming and very stressful for them, as we've heard from different stories here today.

This process needs to be simplified. Instead of creating more regulations behind closed doors, this government should be bringing better legislation before this House that actually goes all the way in helping consumers in such situations. It's unfortunate that this government goes all-in on scandals from gas plants to eHealth and Ornge and others, yet only goes half the way when we actually are trying to provide real solutions for Ontarians.

The third and final part of this bill sees the Liberal government taking real action without much fuss or need for window dressing. It creates provisions to protect consumers who are looking to make one of the largest purchases anyone may ever make in their lifetime: the purchase of a new home. It's about time this government acted on the problems of phantom offers and the lack of transparency from a select few bad apples in sales. In my experience—and I think many others have had great experiences with real estate agents and even in car sales. But there are the few bad apples.

I'm glad to hear that a simple fix is being applied, without red tape. By ensuring that all offers made will be submitted in writing, consumers can feel safe in their knowledge that the bid was not being driven up artificially. This is the kind of fix that our government should be focusing on. If they spent half as much time actually doing good as they spend pretending to do good, perhaps they'd actually have the confidence of this House today.

Even so, the minister has neglected to include a provision for the full disclosure of costs. Every consumer has the right to know how much the contract with an agent will cost, and this is an important addition we'd like to see included in the future.

This is an omnibus bill which seeks to protect consumers and increase the confidence Ontarians can have across all markets. It's too bad that in trying to fix multiple issues, this government has merely provided a bill that goes halfway in fixing anything. This is a band-aid bill, which was clearly designed as a reaction. A few bad news stories make the media and this government attempts a quick fix. Ontarians deserve better. They deserve more from their government than reactions to bad news stories and scandals.

Ontarians deserve a forward-thinking government that has real vision for Ontario's future. We need a government that is proactive in improving this province, not reactive, not one playing defence all the time.

This bill certainly provides for some good changes to our current system that will improve consumer protection and confidence. However, it absolutely needs to go further, Speaker.

I sincerely hope this government opposite will take our suggestions that we've discussed here today into

serious consideration. I think, by the way, it is a good discussion we're having here today and of value, despite the want to push this through without added debate. The bill is halfway there. It's time to work together. It's time to get it right for Ontarians everywhere.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Teresa J. Armstrong:** I'm delighted to stand here today, on behalf of the residents of London–Fanshawe, and give my questions and comments, even though I'm getting some kind of eyes over the glasses on the other side of the room. But that's okay, because we're in a democracy and we can speak. As long as the debate time goes, I can speak.

What I'd like to say, though, is that I mentioned awareness in my earlier debate. We can make all the bills we want in this House, but if people aren't aware of those bills and don't know what their rights are, then they're not going to be effective. Part of that, as we mentioned, is having public consultations or public forums where people can come and actually talk about how your consumer rights are affected, what your rights are as a consumer and how these things have changed. I think that's a really important part of the piece of making this bill better, so that we don't just quietly slip that bill through. I know we're not doing it quietly, but things happen so fast every day that people may not be paying attention. When it's something this important—it touches everyday life; everybody will be a consumer, no matter who you, and at a very young age.

I mentioned before that we have electronics—you've got your iPads, you've got your cellphones. There are contracts for those things too, and they're very complicated. So education is a very important part of this bill. I hope that when we look at that in committee, we'll actually think about how to bring awareness so it can be a useful and effective bill for every consumer, whether they're a senior or whether they're a youth, and we'll all benefit from the bill we pass today.

**The Acting Speaker (Mr. Ted Arnott):** Questions or comments?

**Mr. Monte Kwinter:** I'm pleased to rise and respond to the member from Barrie. I'm sure many of you know that 29 years ago, I was the Minister of Consumer and Commercial Relations, and we had issues similar to this.

It's interesting that everybody seems to agree that this legislation is good but not good enough. And they say we have to get on with it, but then nobody wants to get on with it. Let's send it to the committee. We've already had 13 hours of debate. Let's get it at second reading and let it get to the committee so we can deal with it. We're not going to be able to solve it in this Legislature. The only place we can get the results you want is at committee, and that's where it should be going.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bill Walker:** A pleasure to have an opportunity to finally speak in this House today, Speaker, and especially to the member from Barrie, my seatmate and

my colleague. I've very proud not only to sit beside him, but to work beside him and work with him as a member of our PC caucus. Every day, he brings his commitment to the people of Barrie whom he is sent here to represent, and he does an admirable job of that.

In his remarks, he certainly covered a lot of ground, and we've talked about that a fair bit in here today, so I'm going to focus a little bit on a couple of things. One of the things that I think really came through to me in his speech is the window dressing. It's trying to have the appearance of solving the world's ills. So we take a couple of complaints and go to the media with a 30-second sound bite and try to make it sound like we're solving all the ills.

But what really isn't there is a lot of ability for recourse. What's really going to prevent this from happening? What's going to give some person the opportunity for recourse when it does happen, so that people are truly protected, not just giving the appearance of it?

I think he used comments such as “a half-measures bill” and “a band-aid bill,” and I think that's what the reality is. It certainly is one of those ones that we've trotted out. We haven't really done a fulsome job.

Why wouldn't they come across to our consumer critic, the member from Stormont–Dundas–South Glengarry? He's got a great lot of ideas that he could add to this bill, and we would have already had this and then could have got it into committee because we'd have covered those?

I think the other thing my colleague really pointed out was that it's our fundamental right and responsibility to represent the wishes of our constituents, and we're not going to rush any debate through just for the expediency of saying we want to get on with it. We'll never apologize for standing here and doing what's right; we'll stand every day and make sure that is.

He asked and talked a lot about debt and what we could have with health care and education if there weren't so many boondoggles and we had actual trust and confidence through consumer protection. And we need that, actually, for the Wynne government themselves. If there was more trust and protection, we wouldn't be debating things like gas plant scandals, eHealth and all the other ones that I've lived through since I've been here.

He's looking for honesty in business, honesty in government and honesty for taxpayers. Hopefully, this bill will help that. If we can get an assurance that there will be a committee, we're happy to get it there.

**1700**

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments? The member for Bramalea–Gore–Malton.

*Interjections.*

**Mr. Jagmeet Singh:** Thank you, everyone.

One of the areas in this bill that hasn't been talked about enough—and I think I'll just add my voice to that particular part—is the section that deals with debt settlement services.

Debt settlement services is a particularly interesting part of the bill, and I ask the Minister of Labour to tell me what he thinks about this. That portion of the bill talks about protection that we can give for consumers when it comes to debt settlement services.

The problem is that debt settlement services are services designed to actually help the consumer. A great deal of consumers are finding a benefit from having a debt settlement service that actually acts as a buffer between themselves and collection agencies. When we look at the legislation, one of the things that comes to my mind is, why is it that debt settlement services are covered, but the credit counsellors, who provide a very similar role, aren't covered in this?

If you look a bit deeper, credit counsellors are listed as a not-for-profit corporation or organization, but they're actually funded almost entirely by the banks. Banks are the principle beneficiaries of any loans, and collection agencies basically act as arms or wings of banks, because they try to collect the debt that people have received through their credit cards or through other loans.

So there's a bit of a question here. If we're putting all this pressure on debt settlement services, which ostensibly act as protection for consumers, and we're neglecting to address credit counsellors and disclosing in a transparent way the fact that they are actually funded by the banks, I'm questioning whether or not we have our priorities straight here. There are certainly some debt settlement services that aren't providing a good service and are not providing a benefit to the consumers, but a great deal of them are actually helping consumers settle their debts at a better rate than any other services out there. Let's keep that in mind when we make this bill.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our time for questions and comments for this round. I'll return to the member for Barrie for his two-minute reply.

**Mr. Rod Jackson:** I would like to thank the member from London-Fanshawe, the members from York Centre, Bruce-Grey-Owen Sound and Bramalea-Gore-Malton for their comments on my time.

The member from Bramalea-Gore-Malton did hit on something that is an issue, and it's something that I mentioned in my speech—and maybe that's where he picked it up from. Debt collection and how this bill addresses debt collection is actually something that needs a little bit more light shone on it.

I've had a number of different constituents come to me with debt problems, and they all want us to help them out. It is an issue. Even ones who are trying to resolve their debt issues legitimately and wholesomely have issues with debt collection. Sometimes, they're coming at them from all angles, to the point where it actually has an adverse effect on them. I actually had an experience where I moved homes and I had to get a new phone number, and I guess the person who had the number before me actually had some debt issues, so they kept calling and asking for Anne, and I kept telling them, "There is no Anne at this house. There is no Anne"—and

they wouldn't believe me. They thought I was trying to blow them off. They wouldn't stop for about a year. Finally, we had to threaten them with the police before they actually stopped calling my house. I can't imagine if I was Anne—you know, getting the calls at home, getting the calls at work, getting the visits. It got to the point where it was pretty much harassment.

We're also talking about the water heaters and the aggressive salespeople who come and, even for electricity distribution, take advantage of everybody. It's not just people who are seniors or vulnerable in our communities; it's our friends and neighbours who are getting taken advantage of by the promise of something better, and they aren't getting it. We know they can't get it. We know that's not how the system works, and it needs to be fixed. The same thing with real estate: Most real estate agents are very respectable people, but there are the odd ones out there who are predatory.

This bill goes the distance to make sure that won't happen. With the good things in it and the good things we can do in committee eventually, this bill will have some value.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Robert Bailey:** Thank you very much for the opportunity to add my comments to Bill 55, An Act to amend the Collection Agencies Act, the Consumer Protection Act, 2002 and the Real Estate and Business Brokers Act, 2002 and to make consequential amendments to other Acts.

This particular bill has seen quite a lot of debate. We heard about that earlier, a few minutes ago. I'm sure that part of the reason for the vigorous debate on Bill 55 is because, as MPPs, we all hear from our constituents on a regular basis about many of the issues they hope to address. Of course, the amount of debate can probably also be ascribed to the omnibus nature of this act. It deals with a number of issues that likely should have been sectioned off and dealt with individually to ensure that they each received the level of input and consultation from this House that they deserve.

However, even with the ongoing commitment of the third party to support this government through thick and thin, the minister likely thought it best to try and expedite the handling of all the issues in this one act. That decision to group these together to see them through at once seems even more insightful in light of the increasingly treacherous footing that this government finds itself on. All that being said, I will be supporting Bill 55 whenever and if it is called for a vote.

There is a need for this government to do more to increase protection for consumers in the province of Ontario. Unfortunately, a lot of that legislation that this government has presented in the past has been geared more towards capturing a quick headline to benefit the government and less about addressing the root cause of many ongoing consumer complaints.

While this act will address aspects of high-pressure tactics used by businesses in dealing with consumers, it

does little to improve the consumer experience. That is why I am hopeful that by supporting this act and moving it forward to the committee stage, we, as a collective body of this Legislature, can set out to improve Bill 55 and make sure that it has some heft behind it. That way, we can ensure that it is effective and gives consumers in this province an increased sense of confidence in the marketplace, and with that increased sense of confidence, hopefully we will see to it that the common complaints that are associated with things like debt settlement agencies, door-to-door sales and real estate transactions are reduced, and consumer satisfaction increases.

My colleague the member from Stormont–Dundas–South Glengarry talked a little about consumer confidence when he spoke about Bill 55, and I just want to reiterate those comments of his from the Hansard of April 30, 2013. The member from SDSG said, “When consumers are not secure in the knowledge that their rights are protected, consumption diminishes and the economy suffers.” This is a very important point and underlines why Bill 55 should undergo a thorough examination at committee.

Consumer confidence can and will play a dramatic impact on the overall health and well-being of our economy. When a province such as Ontario struggles to unbind itself from years of sluggish performance, building sound consumer confidence should be a top priority for this government.

Speaking from personal experience, the committee process was very helpful in developing the Ontario One Call Act. That was of course the act that the member from Hamilton East–Stoney Creek and myself introduced and was passed with unanimous support by this Legislature on June 14, 2012.

I know the Minister of Consumer Services is working diligently to make sure that all of Ontario One Call’s regulations are completed in short order and that this important system for increasing homeowner and worker protection is in place and that the Ontario One Call is fully operational as soon as possible.

Ontario One Call is an initiative that was developed by industry to address the increasingly complex network of underground infrastructure that is buried in our province. Likewise, since the Consumer Protection Act was originally passed by the previous Progressive Conservative government in 2002, this marketplace in Ontario has become increasingly complex. Long-standing industries have changed and evolved. Completely new industries that did not exist or were contemplated a decade ago have sprung up. As a result, the Consumer Protection Act needs to reflect those changes in the marketplace and adapt with them.

Bill 55, as it has been presented, will amend three separate acts in Ontario, and as I said before, addresses the issue of debt settlement, door-to-door sales with specific attention to the matter of the sale of water heaters and, finally, real estate transactions.

Debt settlement is an industry that has sprung up from the increased reliance on cheap credit that has been

commonplace in our modern society. Unfortunately, many people find the temptation of easy credit too much to resist and, before long, are unable to handle their growing debt burden, a situation not unlike that which this provincial government currently faces.

Companies offering services to help settle debt problems are becoming more commonplace, thanks in part to the increasing dependence on credit in our society. Unfortunately, as in all market segments, there are proprietors of debt settlement businesses that will take advantage of the vulnerable position that these customers find themselves in. Ideally, consumers would be able to avoid entering into agreements with these companies. However, when faced with the stress that growing debt can bring, consumers can and will make poor judgments.

#### 1710

The Progressive Conservative critic of consumer services, my colleague from Stormont–Dundas–South Glengarry, has made a number of recommendations to this government about how it can improve sections of Bill 55.

Specifically, as has been mentioned, the PC caucus believes that this act needs, among other things, to address the need for debt settling agencies that have signed agreements with clients to be the sole contact point and recipient of collection calls. This bill doesn’t do that, and it should. I hope that the minister will heed this recommendation and others put forward by the members of the opposition of both parties. Debt settlement will no doubt continue to be an industry that people will rely on for the foreseeable future. We need to ensure that it operates in the very best interests of all consumers.

In the same vein, the pressure tactics that have been used by some marketers doing door-to-door sales continue. We have dealt with this matter before, specifically as it relates to energy contracts. That, I might add, was a very busy part of my office over the last two or three years. It has finally tapered off but still forms a significant part. My office in Sarnia–Lambton still hears from people almost daily about contracts that they have signed with firms offering some variation on the theme of energy rate savings. Despite the efforts of the members of this Legislature to clear this up, there are still vulnerable Ontarians who are signing contracts at the door without taking proper care to understand fully what sort of agreement they’re entering into.

My understanding is that this act will double the cooling-off period for water heater rentals. In passing, that is a positive development. However, after only 20 days, if a consumer has yet to sort out any matters that may exist with their previous hot water tank supplier, they will still be subjected to severe penalties. Cancellation charges can run into the hundreds of dollars. In addition, companies can add hundreds of dollars to the bill through incidental charges. This sort of business practice is something that the ministry should be looking to address through this act.

It would be an improvement to this act if we could see a strengthening of the ministry’s enforcement tools so as

to dissuade organizations from engaging in what could possibly be viewed as deceptive business practices. To build on that idea, establishing some kind of avenue of recourse for consumers outside of the court system would certainly help alleviate a significant obstacle for many disgruntled consumers who simply can't afford the cost of a lawyer to fight on their behalf in the court system. I believe that this act could help to address that issue and build consumer confidence in an important economic sector.

Certainly in the GTA, it seems that the price of housing is climbing at a rate that is almost becoming unaffordable for many families. Even in my riding of Sarnia–Lambton, real estate agents are reporting a surge in activity, and they are often seeing multiple bids on houses that are driving up the final sale prices for these properties—okay if you're selling, not so good if you're buying.

While this competition is a good thing, it has been demonstrated that there are instances when unscrupulous agents or brokers are using phantom bids to drive up competing bids for prospective buyers. This government rightly should step in and take action to stamp out that practice. Of course, with this legislation, consumers will only know after the fact the number of actual bids. However, this information will still be valuable for consumers in the marketplace.

In conclusion, I will be supporting, as I said, with my caucus, Bill 55. It certainly isn't perfect in its current composition, but I do believe that by sending this to committee, we can tailor this bill to best address the prevailing issues surrounding debt settlement, door-to-door sales and real estate transactions. Done correctly, this could be a very positive initiative for the people of Ontario. The old adage of "Buyer beware" still applies. However, together we can certainly work to increase the consumer protection in Ontario. In doing so, hopefully we can help promote consumer confidence, which, as we all know, is a very important piece of our economic puzzle.

Thank you, Mr. Speaker. I appreciate the opportunity to speak to this bill today.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Jagmeet Singh:** Mr. Speaker, I want to just add another item or another idea to consider when we're looking at this consumer protection piece of legislation. We've called for this, as the NDP, and I think this would assist us in bolstering consumer protection in the province: the idea of having the Ombudsman or a specific consumer services ombudsman who would be a central focal point. If there are issues that consumers are facing, if they are complaining about whatever it could be, from their cellphones to the unscrupulous activities of door-to-door salespeople, if there was a central place where people could call in and complain and that would be able to act as an advocate for consumers, that might provide a stronger mechanism to provide protection for consumers. So I ask everyone to consider either an

ombudsman for consumers, or expanding the reach of our current Ombudsman to allow his office to address concerns around consumer services.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Mario Sergio:** I was listening to the member from Sarnia–Lambton. He has addressed several issues in Bill 55. They are all good points. I appreciate his rendition. They have been addressed before already.

We have had some 12 hours of debate already on this bill. I think it's time that we move it on and send it to committee and bring it back as a better bill. I'll let it go at that, and I hope we can move the bill on to a committee.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Jim McDonell:** I always enjoy to get up and talk to the member from Sarnia–Lambton. He has been a big help to us since we got here, and of course is our whip on Mondays, so he keeps us in shape.

The discussions today have been centred around the need for this bill, and we certainly concur. We know there need to be some additions to it, and we've talked about a few of them. We talked about the debt settlement and making sure that all revenue is identified to the consumer so he knows just who the debt settler, the counsellor, would be working for. Is he working for the consumer or is he working for the creditor? That needs to be clear so that the consumer knows just what they're getting for their dollar. They want to make sure that they get the best deal possible.

Door-to-door sales: Again, I think everybody knows that there's an issue, and not only with hot water heaters but with many issues, and we need that addressed. The 20-day cooling-off period is a good step. I think there needs to be something to allow for the informed consumer who doesn't want to use the 20 days. They may have an issue and may want the heater placed sooner than later. Certainly, if you have a problem, it's not very handy to wait for 20 days to have a hot shower, so there are circumstances where that may be changed around. For most cases—if it's door-to-door sales—that's not the issue, but we need to allow for everything.

Real estate: This is a good point to bring up.

We're looking forward to getting it to committee, and we're somewhat concerned that for the summer right now we have no committee structure in place. We think it would be a shame to have to come back in the fall and have a huge backlog of bills. If the government is truly interested in getting some of these bills through, they'll agree with us and they'll strike the committee for the summer. We're hoping for at least four sessional days sometime. I know there's some disagreement about whether they shall be in one month or spread out, but that's a minor issue. We just need the committee sessions.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Cheri DiNovo:** I'm just going to take a few seconds to talk about the omission in the bill—again, a



glaring one—that there is nothing to protect payday lender customers. This is usury, by any stretch of the imagination, by any jurisdiction in the world. Through our payday lenders, we charge poor, hapless consumers over 500% interest—about 544% interest, to be exact. It used to be 800% to 1,000% interest, so I guess that's progress. But let's face it: That's usury. It was always considered usury in the federal laws, when it was at 60%. Then they downloaded the responsibility to the provinces. Why isn't that in this omnibus bill? I mean, real estate is in here. Debt collection services are in here. Why aren't payday lenders in here?

This is a bill that was put forward by our party. I put it forward many, many years ago—not just once, but twice, I think three times. It's going to come back again in the fall, whatever time—the third or fourth time.

But truly, in Quebec, where they only charge a maximum of 35%, there are no payday lenders. That's what we need in Ontario, because when you talk about hurting consumers, I can't imagine anything more egregious than being charged 544% interest for a small loan. That's really what they're charging. The Minister of Consumer Services knows this. She knows about the bill. It's been tabled many times. Why isn't it in this omnibus bill? I would love to see it strengthened. I challenge the government to do so.

Thanks be to ACORN, who really championed this and will continue to champion this issue.

**The Acting Speaker (Mr. Ted Arnott):** That concludes the time for questions and comments. I return to the member for Sarnia–Lambton for his reply.

1720

**Mr. Robert Bailey:** So soon? Thank you Mr. Speaker; the time goes by so fast.

I'd like to thank the people that commented on my remarks: the member for Bramalea–Gore–Malton, the minister for seniors, the member from Stormont–Dundas–South Glengarry and, of course, the member for Parkdale–High Park.

I, too, certainly agree with the payday loans. I would like to work toward that. If that was in here, I would certainly feel even stronger about this bill. I'm going to support it anyway, but I certainly agree. I know a number of people have passed through my office who have been taken advantage of—and those are the words, “taken advantage of”—by these payday loan—well, let's call them loan sharks; that's what they are. We can say that in here and we should be saying it outside of here. As far as I'm concerned, they shouldn't be in business. I've got no time for them. I don't know how they're able to survive in this province. We should be putting these guys out of business as far as I'm concerned.

All the other acts that are in here, I support those as well, what we're doing here. Like I say, if we had committees—that's what everybody keeps saying: “Let's get it out of here and get it to committee.” But right now, as far as I understand, the committees haven't been struck for the summer. We need to do that. There are a

lot of bills that are out there that we've debated and that need to be improved, need to be passed. I think this is one of the more important ones, too, because of consumer protection but also, as the member for Parkdale–High Park said, here's a great improvement that the government could make to this; it would be great for their constituents, my constituents, the members of the third party as well. It would be doing the right thing. It would be doing consumers in this province a great benefit, and I would certainly support that.

Maybe we need an all-party initiative on that; all three parties go together and support that. I'd like to see what the arguments against these outfits are. Who would come in and defend the payday lenders? I don't know.

Anyway, thank you again, Mr. Speaker, for the opportunity to debate today and I look forward to the rest of the afternoon.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mrs. Julia Munro:** It's a pleasure to be able to rise today and make a few remarks about Bill 55. Others have mentioned, but I want to start with that phrase that comes to us back from ancient Roman days, and that of course is caveat emptor; it's buyer beware. It's always been there; it's always been an issue. The question today that we're looking at is trying to make sure that there's a balance between consumers and either those sellers or providers of service.

But there are a few things that I think at the outset people should keep in mind, and certainly “buyer beware” is one of them. So also, if it's too good to be true, it probably is. Those kinds of little items, then, would kind of give us a bit of a focus in looking at the need for the kind of legislation that we're looking at here today.

There are a couple of things that certainly work on behalf of the consumer, and that is the importance of clear, understandable and accessible rules. “Accessible” might surprise you, but try to find some of the fine print sometime. That certainly is a challenge to accessibility. It might be there but you may have difficulty accessing it.

The second is a mechanism, whether it's a court system or some other kind of judicial tribunal or opportunity. It has to be timely; it has to be affordable. If not, it simply decreases consumer confidence. Consumer confidence is one of those items that has to be at the front of the concern of any piece of legislation like this. With the information that is provided to the consumer, it follows then that there is some protection. An informed consumer is obviously a protected one.

I want to draw attention to that because there are many areas in our public life where people are talking more and more about the need for better financial literacy. I had occasion to have that brought home personally when I had a constituent come to see me a couple of years ago, whose job it was to write contracts for the purchase of cars. Her reason for coming to see me about this was the number of young people she encountered in her job who

didn't have a credit rating, who had declared bankruptcy, who had no idea of the consequences of their financial misdeeds. They were completely surprised at the fact that it would not be easy for them to secure a car.

There's a huge effort that's required. Certainly, the government has talked about having financial literacy within the school and other organizations. The Financial Planning Standards Council has offered advice. There are banks, there are so many places today that are busy trying to encourage people to recognize that it's their money and they have a responsibility in how it is spent.

The problem of that, the challenge of that is clear. When you look at the amount of personal debt on average that people are carrying in this province—this is aside from the debt they carry as taxpayers, as citizens of this province. This is their own personal financial debt.

This gets us around to the issue of having debt settlement and what are the options for people looking for that kind of help. The whole notion of consolidating debts and finding a package, then, that will make it possible for people to pay back is very important. It's also very important as part of the package of financial literacy. You mustn't be sucked in by not understanding what in fact you are agreeing to.

Even simple concepts like compound interest and what that does to your credit card and things like that are extremely important to understand. It's important for you to know who you're dealing with, that there's no conflict of interest between the adviser who is working for the lender or is working for the debtor. Obviously, it can't be both.

The question, then, of personal debt is a huge issue and particularly we recognize how important it is for young people. The stories about the contracts in the cellphone industry—we've just seen legislation that would provide some consumer protection in that field. But we certainly all know people who have horror stories of what they signed up for or what they thought they signed up for and how to get out of contracts and things like that. This is really, in this piece of legislation, the tip of a very large social iceberg.

The importance of bringing this forward in legislation certainly can't be underemphasized, but it must be seen as part of a bigger issue that we need to work on.

The other consumer issues that were raised in this bill is the question of the water heaters. People again have to remember caveat emptor—buyer beware. I think the issue around financial literacy becomes greater when you're talking about door-to-door salespeople because you may be crossing into different linguistic or ethnic or cultural lines where it's much harder for people to understand what the salesperson is or may be presenting.

The second issue that this bill raises is the question of real estate transactions. Each one of these deserves, obviously, its own special consideration, but I think the most important thing for us at this point is the fact that we do have a bill here that lays out, I would argue, the beginnings of a response to a very important issue. One need only look at a few of the many comments.

**1730**

The Auditor General's report talks about the question of the Collection Agencies Act and the manner in which people had complaints against them and no action taken. That, again, tends to diminish the confidence that consumers have, and if there's anything that a consumer ministry should do, it has to be to provide people with the tools and the confidence in the system, that they will in fact continue to be consumers with strong faith in the system.

One of the ways by which the government can do that is to ensure that we have timely committee hearings. People have said that they are in favour of this legislation. We know that there are issues that need to be raised in the committee process, where people can come forward to make a contribution to the efficacy of this piece of legislation, but we need a date and a time.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Ms. Teresa J. Armstrong:** I was chatting outside the members' lounge earlier with another member from the Conservative Party, and he was saying that there's a lot of debate—

*Interjection.*

**Ms. Teresa J. Armstrong:** Yes, a very nice person.

He was saying how there has been a lot of debate on this bill and we were talking about how we're all in agreement that we want this bill to move forward and to go to committee, but we also agreed that if we still have something to say—he said, "You know what? I still wanted to say something on this bill and I was glad for the opportunity to talk on this bill." I know there's a member opposite there, as well as a lot of the members opposite, who feels that this bill has been debated to the ends of the earth and that it needs to go to committee and we need to get on with business. Just talking to that other member, he felt that yes, there have been a lot of things said—"But I had something to say," he said. So I was really grateful for that opportunity.

Again, this bill is a good bill. We're all in agreement. It's wonderful. It's nice to see, for a change, but we still have to have our experiences with our constituents being brought forward so everybody can understand what we are experiencing.

I've had many phone calls, as well, in my constituency office from constituents who can't afford that contract, and they're literally in tears. They feel trapped.

*Interjection.*

**Ms. Teresa J. Armstrong:** Yes, it's an awful feeling. They feel trapped. They don't understand the contract. They give us a call. This is just going to be somewhat of a help for people and consumers in the long run, so I'm glad it's small steps that we're taking and I'm glad we're going to try to make this a better bill and add a little more muscle to it in the end. It's a step forward that we all agree with. I am looking forward to voting on this bill and sending it to committee when everybody is done their allotted time and feel that it's necessary.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Hon. Madeleine Meilleur:** I am very concerned because I know that there are people at home, as we speak, who are being intimidated at their door and they are forced to sign a document or they are afraid of the person who is coming to the door. It's unfortunate that we keep repeating and talking about things that are not in the bill or about other bills that we wish to see here. I'll say to you that if you want the bill to improve, it's not by speaking here in the House; it does not help. Let's bring the bill to the committee.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bill Walker:** It's a pleasure to comment on the comments brought by my colleague from York-Simcoe, a sage guide. Particularly for us new, inexperienced members of the Legislature, she always brings well-balanced and thoughtful, reasoned debate to this House, and that's what we're all expected to do.

She introduced the term "caveat emptor," or buyer beware. I think that's very pertinent, because it is the responsibility of the person to be aware and to beware of those who might be trying to take advantage. However, at the end of the day, legislation sometimes is unfortunately required in today's society to offer that protection.

She offered a couple of other sage ideas: "If it's too good to be true, it probably is." If someone is asking you to sign a document today, the first time you've heard of it, typically, that should be a flag going off and bells and whistles should be screaming at you to say, "This is absolutely not something"—my mom just went through that with one of those telephone scams. Thank goodness, even at the age of 85, she still had the wherewithal to say, "No, I'm going to talk to my son about this," and she did. That was good for her.

What Ms. Munro brought up, again, is a couple of key points: Consumer confidence needs to be a key tenet of all legislation. This piece of legislation certainly has to meet that test. It has to be something that we're truly going to put in place and that gives consumers confidence.

I think it also needs to address the impact on the consumer, the stress that she raised, that happens when a consumer signs something or buys something and then has remorse, and the financial impact. One of my colleagues today said a lady in his riding spent \$100,000 on solar panels that couldn't be hooked up to the grid, with absolutely no ability—what a horrible feeling as a legislator, an MPP, when someone comes into your office and they've been hoodwinked by someone and you can't do anything. Hopefully, there will be more recourse in this bill by the time it's finished.

She referenced the social iceberg. This is just a very small piece of the need for the buyer to beware and, in fact, for the taxpayer to beware, with what we're seeing going on, with all the scandals around us. We need to take responsibility for our actions.

This bill needs to get to committee. I sure hope there are going to be committees so it can be debated and improved, and then there will be a solid piece of legislation to protect the consumers we're here to serve.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Peter Tabuns:** It's interesting; in the course of this debate, I've had an email sent to me by a constituent who has had, just in the last day or so, a company come to the door and say that they were in the area inspecting water heaters. They just wanted to come in and take a look at the water heater in the basement. As my constituent wrote to me, they implied very strongly that they were there in an official capacity, possibly with the provincial government.

Speaker, a 20-day cooling-off period for this kind of operation is not adequate to deal with the problem. As my colleague from Kenora-Rainy River said earlier, the protections in place dealing with energy marketers, which is what this piece is modelled on, aren't adequate as written. Those same failing mechanisms are not going to help people deal with hot water heater rental salespeople, who are quite happy to go around spreading this false impression that they're official, that they're there just to inspect your water heater. No, they're there to try to bully you into, push you into, cajole you into signing a contract and, in some cases, putting you in a situation where you've got a contract with a new company and a contract with the old company, and you're going to get stuck with two rental bills.

My hope is that when this piece of legislation goes to committee—and I expect it will, given the comments that have been made—there will be substantial amendments made to make it extremely difficult for predatory companies to continue their operations, to make sure that in the future, people aren't going to have to wonder, "Who is that person running for my basement door, trying to get into my water heater?" They will have them stopped way before they get through the front door. That's our job: to stop them from getting to the front door in the first place.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our time for questions and comments. I return to the member for York-Simcoe for her reply.

**Mrs. Julia Munro:** Thank you to the member from London-Fanshawe, the Minister of Community Safety and Correctional Services, the members for Bruce-Grey-Owen Sound and Toronto-Danforth.

I would just come back to the committee issue, as raised by the minister, and say that's what we're waiting for: the opportunity to know that, in fact, the government is going to provide that opportunity in a timely way.

**1740**

The member for Toronto-Danforth's example just demonstrates how important it is that we have a broader public message in terms of scams and potential dangers to people. We know, for instance, that seniors are the target of so much in the way of fraud. It can't be overstated about letting people in, about giving information over the phone, these various safeguards that people need

to have right at the ready, so as soon as it happens, they don't have to think about it; they know. The answer is, "No, you cannot come in my house," or, "No, I don't give that information over the phone," to at least insulate people from the dangers of this kind of predatory behaviour.

I look forward to the opportunity for committee hearings because I think it will provide us with further opportunities to strengthen the bill.

**The Acting Speaker (Mr. Ted Arnott):** Thank you. Further debate? I recognize the member for Cambridge.

**Mr. Rob Leone:** Thank you, Mr. Speaker. You kind of said that in an ominous voice. I'm not sure if that's a prelude to what's to come, but I'm always pleased to rise in this Legislature to talk about legislation that has some significant impact on constituents in my riding.

Certainly a lot of members in this House have spoken to Bill 55, An Act to amend the Collection Agencies Act, the Consumer Protection Act, 2002 and the Real Estate and Business Brokers Act, 2002 and to make consequential amendments to other Acts.

As a number of members have already stated, I think this actually does have an effect on people in our ridings. Members have talked at length about some of the stories that have emerged with respect to consumer protection legislation and the need for it to protect from some of the things that are happening, particularly with some of the vulnerable communities of seniors and folks who perhaps don't speak English as a first language, and how they sometimes become convinced by overly ambitious people who come to the door and try and sell them a good or a service. I think a lot of people are looking for consumer protection legislation, and I'm pleased to have this debate here and see what happens when it goes to committee.

I note with interest, as I was reading the bill today for the second time, because I was going to speak to this bill at a previous moment—I think it was probably several weeks ago at the very least when it was called, and I haven't had the opportunity to add my voice to this debate, so I'm pleased to have that opportunity today. I notice that this bill has three schedules, and the three schedules pertain to three pieces of legislation that this bill seeks to amend.

The first is the Collection Agencies Act and, as a lot of people have discussed already, discusses some of the regulations that we want to impose on the debt settlement industry.

Schedule 2 talks about the Consumer Protection Act, which involves door-to-door sales, particularly with reference to water heaters. I'll tell you a story about that that occurred to me personally late last week, so very recently.

Schedule 3 talks about the Real Estate and Business Brokers Act and how this legislation seeks to amend that to improve consumer protection with respect to real estate transactions.

Then I think the bill seems somewhat incomplete, because if I were writing this bill, I would think that

consumer protection would also include protection to the hundreds of millions of dollars that have been wasted on politically motivated decisions to cancel some gas plants. So I would actually add a schedule 4 to this bill to protect the very taxpayers we certainly represent, and I think this bill should reflect the very essence of the reality that they have not been heard on the issue with respect to gas plants.

I note with interest that on the debt settlement portion of the bill—basically, I have two major comments with respect to that. One, as the member for Parkdale–High Park had mentioned earlier, is the lack of understanding and regulation with respect to payday lenders.

I had a constituent come to my office probably earlier in the spring. He talked to me about how he was in dire straits and actually was forced, for the very first time, to visit a payday lender. He talked about it in the sense that he felt very anxious. He kind of felt bad for going. He was humiliated to some degree for having to resort to some of these lending agencies. Then, when he finally realized how much the loan was going to cost him, he went through the roof. He was going through a little rough patch in terms of employment and retraining, and certainly he felt some difficulty with respect to the treatment he received at the payday lender.

I also note that the Canadian Association of Debt Assistance has certain issues with the bill. I'll read a June 5, 2013, press release; this just came out a couple of days ago: It says that the Canadian Association of Debt Assistance called on the government to amend Bill 55, the Stronger Protection for Ontario Consumers Act, to ensure that all companies providing debt negotiation and advice services are forced to play by the same rules.

What they mean is that some debt settlement agencies fall under the purview of this act, but those particularly related to financial institutions fall outside of the act and don't have any regulation, which means that they're going to benefit, to some degree, by having a status that is far different than others in the debt settlement industry. So with that in mind, there is a gap in the legislation that certainly the CADA feels needs to be rectified to put everybody on an equal and fair playing field.

In terms of the door-to-door sales with respect to water heaters, it was interesting because last Friday, I was at home when a door-to-door salesperson came to my door to talk about selling me a contract for a water heater. I was obviously quite amused because I knew we were debating this bill in the Legislature. The gentleman came up to me and said right away that so-and-so on the other street, whom I knew, came and said he was going to sign the water heater because his water heater was so rusted that it was going to leak and burst open and flood the basement, which, obviously, was going to cost thousands of dollars, if not more—tens of thousands of dollars—in insurance claims to fix the damage that that would cause.

He demanded, actually, to come in and see what my water heater looked like. I told him that he could not come in. He then demanded to see my bill—my water

heater bill—and I refused to do that. That's because, obviously, a lot of members in this Legislature say, "Do not sign a contract with a water heater." So make no mistake, Mr. Speaker, that I'm listening to my colleagues each and every time they have said that.

But the point I want to make is, I ended up walking to the named family that this gentleman had told me he had actually convinced to sign a contract. I talked to them about it because I wanted to say, "We're talking about this legislation. You have to always be a little wary about the kinds of things—when water heater contracts are being signed at the door." His response to me was, "What are you talking about? I did no such thing. I did not sign a contract for a water heater. I wasn't even home on Friday night."

This speaks to the kind of thing that we hear a lot from our constituents: that they are, in essence, being convinced through aggressive sales tactics at the door. When they're perhaps doing something else—they might be interrupted from cooking dinner; I was interrupted from spending some time with my children—they're in that moment. Sometimes you just want the person to go away, so you might say, "Okay. Look at my bill very quickly," and run off. But what I think has to happen is that we have to make sure that the proper regulations are in place.

I know that my colleague from Stormont–Dundas–South Glengarry has proposed and has provided us with some details and some of the amendments that he wishes to propose once this bill goes to committee. I think that is one of the most important things that we should be talking about and debating in this Legislature.

**1750**

As the minister of community service has suggested earlier in her comments, I believe to the member from York–Simcoe, she stated that the best way to start helping the people who are suffering out there is to get this legislation passed.

I have two comments for that sentiment. This isn't a new phenomenon. This isn't a new problem. This problem has existed for a very long time. This government has been in power since 2003 and yet we are here in 2013 talking about consumer protection legislation that simply hasn't happened. That's the first thing. The second thing is, suppose this bill actually does get a second reading vote and we vote in favour. The fact is that we don't have committees to actually debate this bill, to study this bill and to improve this bill so that we can start improving the very lives that the minister was speaking of.

What I would suggest is, as many others have, particularly on the opposition, let's get these committees set up. Let's talk about how we can improve legislation like Bill 55 so that the people we serve do not have to suffer any longer. I think that's what any MPP in this Legislature wants.

I'm pleased to have had the opportunity to contribute to the debate.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Sarah Campbell:** I'm pleased to rise and comment on the presentation that was made by the member from Cambridge. It's true; right? We've had this particular Liberal government that's been—well, they've been government since 2003. We're going on 10 years now. They have made some progress, as I mentioned in my earlier remarks, in the area of consumer protection. Unfortunately, the steps they took just didn't go far enough. We still see people who are falling through the cracks, who are prey to some of the door-to-door salespeople, especially with regard to energy retailers. I've seen in my office since I've been elected, since we've had those changes in 2010 and 2011 by this government—I still see a number of people who come, who have signed contracts and they thought they were given straight goods, they thought everything looked fine on its face and it turns out they've been subject to a really long contract, they're paying rates that are way out of whack with comparable rates that would be provided by their local utilities. Then, when they tried to cancel, they found that it's next to impossible to cancel. If they are able to cancel, they're paying exorbitant cancellation fees, and that's despite the steps this government has allegedly taken that are supposed to be helping protect consumers.

I want to reiterate the point I made earlier, which is that we really haven't come that far in the area of consumer protection. This Stronger Protection for Consumers Act really is not going to do anything to help people with water heaters any more than the other legislation has helped people when it comes to energy retailers. So we have a lot more to go.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bob Delaney:** In more than 14 hours of debate, enough insight has been provided. Let's get it to committee.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Jim McDonell:** I'm proud to stand and comment on my seatmate here, who brought a lot of issues for discussion here. He talked about a personal issue and seeing first-hand the need for some of the legislation.

We talked about CADA, some of the ideas they have when it comes to debt settlement and making sure that the agreements are transparent and the customers know what they're signed up for.

I know there's been talk about hot water door-to-door, but we want to make sure that we also have two large incumbents that serve the market well. In their interest too, I think there needs to be transparency around some of the agreements and the cancellation fees that would be in this new contract.

It's interesting that we talk about the need to go to committee. I know this government has an issue with having committees formed last year. These committees were able to do a lot of good work, including the work on the power plant issue. I think the people of Ontario are

quite thankful that they were able to meet and bring these issues up.

Also, the cost of businesses was brought up and how they've seen some of the changes. I guess I'd like to highlight some of them. You know, we've seen hydro rates almost up three times, up another 45%. That's 450% over 10 years, and the next five—red tape has chased manufacturing out of this province. We have 300,000 manufacturing jobs we've lost; 550,000 people looking for work this morning.

It just speaks to this government's record. They've seen spending up almost 50%. The sad part is the revenue is almost the same amount, but they just have a huge deficit; they've driven up the debt. It's just a spend, spend, spend government.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

I'll return to the member for Cambridge, who has two minutes to reply.

**Mr. Rob Leone:** I'd like to thank the member, my seatmate from Stormont–Dundas–South Glengarry, for his commentary; and so to the member for Mississauga–Streetsville, who suggested let's get this to committee. You're not going to find any disagreement on this side of the House, if those committees actually existed to get it to. We still haven't seen that.

Also, to the member from Kenora–Rainy River, who I know is busy today preparing for a big event at Queen's

Park for her: She's going to have 100 grade 8 students flying from the farthest part of the province to Queen's Park tomorrow, where she's going to assemble some greeting cards for them. I notice that she's busy doing that. The fact that she took the time to sit and listen to my presentation today speaks volumes of her ability to multi-task, so I commend the member for Kenora–Rainy River for that.

Mr. Speaker, I think, as I have mentioned before, the reality is that consumer protection legislation is vital to a strong and vibrant democratic society. Certainly, that's something that we've all come here to represent and to promote as members of the Legislature. We want people to be happy with what they're getting, the services that are being provided to them, whatever that product or service is. They should have the full confidence that they're buying what they've asked for, and then, if they don't like it, that there are proper provisions to certainly get out of them. That's what this is about; it's about protecting consumers at the end of the day.

I'm pleased, once again, to have this opportunity to stand up on behalf of my constituents of Cambridge and North Dumfries, and I thank you for the opportunity.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Ted Arnott):** It being 6 of the clock, this House stands adjourned until tomorrow at 9 a.m.

*The House adjourned at 1758.*

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Cansfield, Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	
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Craitor, Kim (LIB)	Niagara Falls	
Damerla, Dipika (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	
Del Duca, Steven (LIB)	Vaughan	
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	
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Fife, Catherine (NDP)	Kitchener–Waterloo	

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Harris, Michael (PC)	Kitchener–Conestoga	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
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MacLeod, Lisa (PC)	Nepean–Carleton	
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Marchese, Rosario (NDP)	Trinity–Spadina	
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McGuinty, Dalton (LIB)	Ottawa South / Ottawa-Sud	
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McNeely, Phil (LIB)	Ottawa–Orléans	
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<b>Miller, Paul (NDP)</b>	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
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<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
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<b>Naqvi, Hon. / L'hon. Yasir (LIB)</b>	Ottawa Centre / Ottawa-Centre	Minister of Labour / Ministre du Travail
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O'Toole, John (PC)	Durham	
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Ouellette, Jerry J. (PC)	Oshawa	
Pettapiece, Randy (PC)	Perth–Wellington	
<b>Piruzza, Hon. / L'hon. Teresa (LIB)</b>	Windsor West / Windsor-Ouest	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse
Prue, Michael (NDP)	Beaches–East York	
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
<b>Sandals, Hon. / L'hon. Liz (LIB)</b>	Guelph	Minister of Education / Ministre de l'Éducation
Schein, Jonah (NDP)	Davenport	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
<b>Sergio, Hon. / L'hon. Mario (LIB)</b>	York West / York-Ouest	Minister Responsible for Seniors / Ministre délégué aux Affaires des personnes âgées Minister Without Portfolio / Ministre sans portefeuille
Shurman, Peter (PC)	Thornhill	
Singh, Jagmeet (NDP)	Bramalea–Gore–Malton	
Smith, Todd (PC)	Prince Edward–Hastings	
<b>Sousa, Hon. / L'hon. Charles (LIB)</b>	Mississauga South / Mississauga-Sud	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Harinder S. (LIB)	Mississauga–Erindale	
Taylor, Monique (NDP)	Hamilton Mountain	
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
Wong, Soo (LIB)	Scarborough–Agincourt	
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Agriculture and Food / Ministre de l'Agriculture et de l'Alimentation Premier / Première ministre Leader, Government / Chef du gouvernement Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Yurek, Jeff (PC)	Elgin–Middlesex–London	
<b>Zimmer, Hon. / L'hon. David (LIB)</b>	Willowdale	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Vacant	London West / London-Ouest	
Vacant	Windsor–Tecumseh	

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Standing Committee on Estimates / Comité permanent des budgets des dépenses**

Chair / Président: Michael Prue  
Vice-Chair / Vice-président: Taras Natyshak  
Grant Crack, Kim Craitor  
Vic Dhillon, Michael Harris  
Rob Leone, Bill Mauro  
Taras Natyshak, Taras Natyshak  
Rick Nicholls, Michael Prue  
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Finance and Economic Affairs /  
Comité permanent des finances et des affaires économiques**

Chair / Président: Kevin Daniel Flynn  
Vice-Chair / Vice-présidente: Soo Wong  
Dipika Damerla, Steven Del Duca  
Victor Fedeli, Catherine Fife  
Kevin Daniel Flynn, Monte McNaughton  
Michael Prue, Peter Shurman  
Soo Wong  
Committee Clerk / Greffier: Katch Koch

**Standing Committee on General Government / Comité  
permanent des affaires gouvernementales**

Chair / Président: Bas Balkissoon  
Vice-Chair / Vice-présidente: Donna H. Cansfield  
Bas Balkissoon, Rick Bartolucci  
Sarah Campbell, Donna H. Cansfield  
Mike Colle, Rosario Marchese  
Laurie Scott, Todd Smith  
Jeff Yurek  
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Government Agencies / Comité  
permanent des organismes gouvernementaux**

Chair / Président: Lorenzo Berardinetti  
Vice-Chair / Vice-président: Joe Dickson  
Laura Albanese, Lorenzo Berardinetti  
Joe Dickson, Jim McDonell  
Phil McNeely, Paul Miller  
Randy Pettapiece, Monique Taylor  
Lisa M. Thompson  
Committee Clerk / Greffière: Anne Stokes

**Standing Committee on Justice Policy / Comité permanent de  
la justice**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-présidente: Laura Albanese  
Laura Albanese, Teresa J. Armstrong  
Steven Del Duca, Bob Delaney  
Frank Klees, Jack MacLaren  
Rob E. Milligan, Shafiq Qaadri  
Jonah Schein  
Committee Clerk / Greffière: Tamara Pomanski

**Standing Committee on the Legislative Assembly / Comité  
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Chair / Président: Garfield Dunlop  
Vice-Chair / Vice-présidente: Lisa MacLeod  
Bas Balkissoon, Gilles Bisson  
Steve Clark, Mike Colle  
Garfield Dunlop, Kevin Daniel Flynn  
Cindy Forster, Lisa MacLeod  
Bill Mauro  
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Public Accounts / Comité permanent  
des comptes publics**

Chair / Président: Norm Miller  
Vice-Chair / Vice-président: Toby Barrett  
Toby Barrett, Dipika Damerla  
France Gélinas, Helena Jaczek  
Phil McNeely, Norm Miller  
Jerry J. Ouellette, Shafiq Qaadri  
Jagmeet Singh  
Committee Clerk / Greffier: William Short

**Standing Committee on Regulations and Private Bills / Comité  
permanent des règlements et des projets de loi d'intérêt privé**

Chair / Président: Peter Tabuns  
Vice-Chair / Vice-président: John Vanthof  
Margaret R. Best, Vic Dhillon  
Joe Dickson, Randy Hillier  
Rod Jackson, Monte Kwinter  
Peter Tabuns, John Vanthof  
Bill Walker  
Committee Clerk / Greffière: Tamara Pomanski

**Standing Committee on Social Policy / Comité permanent de  
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Chair / Président: Ernie Hardeman  
Vice-Chair / Vice-président: Ted Chudleigh  
Lorenzo Berardinetti, Margaret R. Best  
Ted Chudleigh, Cheri DiNovo  
Ernie Hardeman, Helena Jaczek  
Amrit Mangat, Michael Mantha  
Jane McKenna  
Committee Clerk / Greffier: William Short







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