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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 8 March 2022

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 8 mars 2022

Report continued from volume A.

**PRIVATE MEMBERS'
PUBLIC BUSINESS**

ONTARIO CONSUMER WATCHDOG
ACT, 2022
LOI DE 2022
SUR L'ORGANISME ONTARIEN
DE DÉFENSE DU CONSOMMATEUR

Mr. Rakocevic moved second reading of the following bill:

Bill 77, An Act to provide for the development and implementation of a plan to establish a consumer watchdog organization / Projet de loi 77, Loi prévoyant l'élaboration et la mise en oeuvre d'un plan visant à créer un organisme de défense du consommateur.

The Acting Speaker (Mr. Percy Hatfield): Pursuant to standing order 101, the member has 12 minutes to make his presentation. I return to the member from Humber River–Black Creek.

Mr. Tom Rakocevic: Happy International Women's Day to everyone. I'm proud to rise today and speak to my private member's bill, the Ontario Consumer Watchdog Act, and I thank my co-sponsors and NDP colleagues the members from London North Centre, Scarborough Southwest and York South–Weston. This bill is a real plan to finally give Ontarians the consumer protection we need and deserve.

Speaker, I want to take you back in time. After living for over three decades in a rental building, my mother and I had saved enough money to buy our first home. Some short months after moving in, I was coming home with groceries on a Saturday morning. As I was pulling into the driveway, I witnessed the following scene: There was a guy there with a clipboard, and my elderly mom was holding a pen, poised to sign something he was holding. There I am, window rolled down, yelling, "Stop, stop. Don't sign," and I watched my startled mother jolt back from the salesperson. He was trying to sell us a new gas contract, and I took his card and told him I'd call him if we needed him. I looked at the contract; we never called him back.

Another weekend, the doorbell rings and there's this guy who tells me—get this—"I'm just going to come in and check your water heater. Do I keep my shoes on or off?", as though the only choice I had in the matter was whether he would be trailing mud into my house. The

purchase, of course, had already been decided before I had even opened the door. I kindly asked him to leave.

The number of eager salespeople multiplied when I got a house, but they came when I was a tenant too. There was this one time when I was in high school and a salesperson asked to look at our home phone bill, did not sell us anything and then left. A month later, we got a new phone bill from a new provider, but we had neither signed nor agreed to anything. Luckily, my family was able to get it cancelled.

Speaker, we all have these stories. I'm lucky, because my stories are pretty tame, with a few near misses, but these days we are getting gouged and taken advantage of in so many different ways, without anywhere to turn. Remember when Pusateri's was caught charging 30 bucks for a package of Lysol wipes at the beginning of the pandemic? We were all outraged, and so the Premier got up in front of the cameras, appearing furious, and scolded the retailer and anyone who would take advantage of consumers. He encouraged consumers to call Consumer Protection Ontario to report any instances of price gouging or fraud.

So people called and the line racked up over 30,000 complaints. But guess what? Not a single charge was laid. This is because our system lays out a bunch of consumer protection laws full of loopholes and provides no enforcement. You call the ministry, and ultimately they'll tell you to get a lawyer and spend more money to try to get the justice you deserve. It's the proverbial fight between David and Goliath, minus the slingshot. For many, the only way to get justice is to attract media attention to shame the bad actor into doing the right thing, but at best these problems are only solved as one-offs, and when the problems are industry-wide they tend to remain no matter what.

Consumer problems are so endemic that virtually every major media outlet has reporters dedicated to the issue. The stories never stop coming, like the story of Joseph and Janet Leung, reported by CTV News this past December. They ordered a washer and dryer from Costco back in April 2021 and opted for the delivery option. As the delivery driver sped out of their condominium garage, his truck hit the garage door before it had fully opened. The Leungs were left with a \$20,000 bill, which Costco refused to pay until CTV reported the story.

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Then there's the baffling story of David Neale, covered once again by CTV in January. David lives in a rural property just north of Orangeville. At some point, the mail-sorting facility handling his home address was

changed to the facility in downtown Orangeville. Now, he didn't move, but this Canada Post decision had some effect on his reported postal code, so his auto insurance rates jumped by nearly \$300. Again, it took a news story to have David's auto insurer charge him once and for all based on where he lives and not where his mail is sorted. But of course, this does not solve the industry-wide issue of auto insurance postal code discrimination, which the NDP have been fighting for years.

And then there's CBC Marketplace, whose investigations often reveal just how unprotected we really are. This month, they reported on a group of moving companies that have been attracting customers with lowball quotes, only to jack up costs by grossly over-exaggerating the weight that they moved and using bullying tactics to get the money. We heard the story of Sherri Watson and her family, who were initially quoted just under \$1,800, which, after a series of bad business shenanigans, ballooned to more than 10 times the cost, at almost \$20,000. She hired a lawyer and negotiated the release of her belongings from a warehouse. When she got them back, many were damaged or missing, while others were covered in rodent droppings or had been chewed on. This past September, she was diagnosed with terminal cancer and said, "It is very tough. You know, they potentially took away my last summer with my family." Terrible.

And what happens when you find out that your elderly parent has been scammed? Last October, the Stratford Beacon Herald told the story of Dave Dunsmoor, whose father, Adrian Dunsmoor, fell victim to a door-to-door HVAC equipment rental salesman in 2017. The salesperson told his elderly father that he was affiliated with the company of his existing furnace, and he said that his furnace was missing parts. He let him in and was tricked into signing a bunch of new rental contracts that would cost him \$25,000 over the next 10 years, when the equipment installed only cost \$3,600. And in the fine print of those contracts were liens of up to \$17,000 against his property. At the time that the story was reported, Adrian Dunsmoor had passed away—may he rest in peace—and his son was still fighting the matter in civil court.

Existing consumer protection laws prohibit the uninvited door-to-door sales of many HVAC goods and services, so many companies now just have their salespeople rent them out. And of course, many just break the rules and conduct business as usual, because the odd ruling against them by a judge doesn't compare to the money they're raking in by taking advantage of people.

You might ask: Don't our delegated administrative authorities have our backs? How about Tarion or the newly formed HCRA? Well, the problems still persist.

Just ask Julie and Marcel Bellefeuille, who are in the sixth year of their fight with their developer and Tarion itself. Like so many of their neighbours in their Ottawa suburb, they bought a dream home only for it to become a nightmare. To this day, the Bellefeuilles estimate that over \$2 million in damages have been paid out to many home purchasers, but only after a very public fight, thanks to their advocacy, media coverage and the work of Canadians

for Properly Built Homes. But the HCRA website, which is supposed to provide transparency on warranty issues, only lists \$10,000 of payouts to date for the entire development. Since the regulatory bodies are not disclosing this important background information, many new home buyers go online to blow the whistle and many end up being sued.

So there you have it: If you want consumer protection, open your wallet and fight it out in the courts. If you're lucky, the media will cover your battle. But even that has no guarantees. Think about how many media stories end with the bad guy holding his jacket in front of his face and running to a car, mumbling, "No comment." So many cases go unreported. So many people, often the most vulnerable among us, are taking the lumps and walking away, or worse. Entire industries are gouging us and making great big piles of money and laughing about it.

But, finally, we have a real solution: a consumer watchdog in Ontario, fully independent of government, established in consultation with stakeholders and the public; a consumer watchdog to oversee all consumer protection matters and investigate and report on unfair business practices against consumers by individuals, businesses, groups of businesses or other entities, such as delegated administrative authorities. Much like the Auditor General, our Ontario consumer watchdog would be able to conduct public investigations and make public reports, either based on a consumer complaint or of its own accord. But unlike the Auditor General, the consumer watchdog could also administer fines or other penalties against businesses or other entities it has found to violate consumer protection laws. To establish transparency and give consumers the information they need, the consumer watchdog would also publish the number of consumer complaints against a business and the results of investigations on its website.

I've spoken to many consumer rights advocates, and they have all supported the Ontario Consumer Watchdog Act. I will share some of their words with you now.

Ellen Roseman, current co-host of the MoneySaver podcast and former consumer advocacy columnist for both the Toronto Star and Globe and Mail, said, "I still hear from desperate people seeking advice. Many of us find it hard to avoid losing money to misleading online pitches, service suppliers that promise refunds and never pay up, multi-page legal contracts that are impossible to understand and too-good-to-be-true credit deals full of hidden fees.

"So I heartily support Bill 77, the NDP's proposal to set up an independent consumer watchdog organization in Ontario. The world of commerce is more complex than ever and can rob citizens of their financial security.

"Let's give them more help to stay solvent and stay clear of obvious traps."

Dr. Karen Somerville, president of Canadians for Properly Built Homes, said, "The decline in consumer protection across the board in Ontario over the years is well recognized.

"Consumers with lived experience say that these organizations, that are supposed to protect consumers, are

not on the consumers' side at all. Ontario's Ministry of Government and Consumer Services is paid yearly by Taron and HCRA to oversee them, but it consistently fails consumers in this role.

"Ontario's consumers should not be ripped off when they buy a newly built home. They should not be saddled with homes riddled with building code violations. They should not need lawyers and the courts to get what they paid for in years-long nightmares.

"Ontario desperately needs a consumer watchdog."

There's Rhona DesRoches, chair of the FAIR Association of Victims for Accident Insurance Reform. She said, "Ontario's 10 million drivers deserve better consumer protection and Bill 77 with the creation of a consumer watchdog is a big step in the right direction to ensure we get the car insurance we paid for. For too long we've paid high premiums only to find out that our auto insurer doesn't deliver on that promise of coverage.

"Every day injured Ontarians are denied the recovery resources they paid for and that needs to be addressed. Rich insurance companies need to be held accountable."

And consumer rights advocate Barbara Captijn said, "The Ontario Consumer Watchdog Act is a light for consumers in the current feeble state of consumer protection in Ontario. The patchwork of legislation, regulations and legal grey areas in the current landscape is difficult for consumers to navigate.

"This bill addresses a much-needed area for modernization, and can help fix injustices and imbalances in the current system, and could help improve the lives of everyday Ontarians."

Speaker, there are many more. In summary, we all know that current consumer protection laws are not working. We see the stories over and over in the news. We hear the stories from friends and family. We experience it ourselves.

Existing laws have loopholes and there are no real penalties for bad actors. Therefore, the only way to find justice as a consumer is to spend even more money and experience tremendous frustration in the court system. Desperate consumers call the media, hoping to get public attention and share their story to shame the bad actor into doing the right thing. It may or may not work, and their problem is solved as a one-off, at best. Our delegated administrative authorities appear to take the side of those they are meant to police instead of the consumers they are meant to protect. And when successive governments attempted to modernize home warranty oversight in Ontario, their plans did not go far enough and the problem has not been solved.

Through the Speaker, I am asking you, Conservative government members: Do the right thing. You went against the wishes of consumer protection stakeholders in Taron reform and the system has not been fixed. You know this. Your government has spoken about consumer protection reform, but you know—you know—it will not go far enough. Don't let history repeat itself.

Consumer advocates are on the side of this bill: a plan to finally give Ontarians the consumer protection they

need and deserve; a place where their complaints are heard, taken seriously and acted upon; a system where those that take advantage of and harm consumers are punished and reported on in an accessible way so we can all make informed choices.

All I am asking is for you to support this bill. Send it to committee. Give consumer advocates a chance to speak there. Let us all work on this plan together. Do the right thing: Vote in favour of the Ontario Consumer Watchdog Act. Side with consumers. They are watching and they are counting on us.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

Mr. Faisal Hassan: It is a pleasure to rise in this House on behalf of the decent and hard-working people of York South–Weston.

I am proud to have co-sponsored Bill 77, the Ontario Consumer Watchdog Act, along with my fine colleagues from Scarborough Southwest, London North Centre and Humber River–Black Creek.

I have been hearing from so many community members, seniors, students, families and individuals living with disabilities who are struggling financially and just trying to get by day to day with the increasing cost of living.

Price gouging and consumer rip-offs are happening far too much to already overburdened people and they have nowhere to turn. One such example from my riding of York South–Weston involves future residents of the Weston Village development in the Church and Weston area. I've been contacted by families who, in good faith, purchased their new homes and made arrangements to begin the big process of packing up and moving in, only to be faced with delays in natural gas connections to their homes. These families had to pay for alternative accommodation or stay with family members while awaiting the work that was to have been completed. In this case, the developer did everything right, but the natural gas provider didn't fulfill their end of the bargain. A consumer watchdog would be someone these homeowners would help with complaints like this that could include addressing possible financial compensation. This family contacted my office and needed a quick solution that did not involve lawyers and more delays; they needed an advocate.

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An independent Ontario consumer watchdog would have the ability to oversee all consumer protection matters in the province. It would have the ability to administer fines and other penalties against bad-actor businesses as a deterrent from it happening again.

With our current system, Consumer Protection Ontario, the most common response from them is to call a lawyer. This is unacceptable, as is the number of categories Consumer Protection Ontario simply does not cover. Categories like financial transactions such as payday loans, home builder complaints, travel and tourism disputes and motor vehicle transactions are not covered. This is a large failure in providing proper consumer oversight.

The consumer watchdog would broadly provide protection and information for all consumers. This consumer

watchdog bill will finally provide concrete assistance and a place to turn to when consumers have been taken advantage of.

This government and the previous Liberal government have turned a blind eye to consumer protection, and it is well past time a bill such as this one is passed into law. All consumers deserve protection and the comfort in knowing they are not alone and will be helped.

I urge the government to support this bill and deliver to people in this province the strongest consumer protection system in Canada.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

Mr. Stephen Blais: It's an honour to speak this evening in support of Bill 77, the Ontario Consumer Watchdog Act. I'd like to thank the member from Humber River–Black Creek for introducing the bill and for sticking with it through the end of this legislative session.

Every Ontarian, every single person living in this province, deserves to be treated fairly and honestly when doing business. I don't think that's a lot for Ontarians to expect, and I don't think it's too much for Ontarians to expect of their government to ensure that is in fact what happens. Unfortunately, too many Ontarians are taken advantage of. As the member from Humber River–Black Creek so aptly described, sometimes this happens with door-to-door sales where people are talked into buying something or a service they don't want or they don't need by people who clearly have no scruples. Sometimes there are issues that are so common, so prevalent, within certain industries that too many of us just shrug it off as a part of doing business with that particular sector.

The member referenced Marketplace. They reveal these types of stories almost on a weekly basis, and too many of us just let it happen. Sometimes we need protections—protections that can only be provided by the government and protections that can be helped with a watchdog such as what is being proposed tonight.

Certainly, during COVID-19, we saw some of these unsightly practices in full display. Despite some of the rhetoric that promised there would be tough action against price gouging, too often that didn't happen. It didn't happen because it happened too quickly. It didn't happen because there wasn't anyone paying attention. It didn't happen because the government didn't have the guts to actually follow through on it.

These are all things that can be avoided or could be helped with having an independent watchdog, someone who has the resources to look out for these things, someone who doesn't have to get re-elected every four years, someone who doesn't need to seek contributions for that re-election from the business owners who are actually committing the offence, particularly when Ontarians are struggling with hydro rates that are out of control, when Ontarians are struggling with gas prices that are going up each and every day. We don't need them, and they don't need to be taken advantage of by business owners, door-to-door salesmen or industries that simply have, frankly, corrupt practices. They need the protections of a watchdog

to ensure that they're not taken advantage of, to ensure that business is being done on the level, to ensure that they're not walking into a situation that they don't know all the information about.

Now, imagine, Speaker, walking into the Beer Store and agreeing to buy a beer for a dollar, and when you get to the checkout, that beer is now \$2.50. That's the kind of thing that happens in too many businesses and too many industries, and that's the kind of thing that can be enforced and hopefully avoided with a strong watchdog, as is being recommended tonight. Because sometimes really good people that have good intentions—despite those things, they get talked into a bad deal. Sometimes really good people get talked into saying yes simply because they're being taken advantage of. And sometimes those people need a champion with the resources, they need a champion with the scruples, they need a champion with the independence to stand up and say no, so that those Ontarians are not taken advantage of, so that if that does happen, there are consequences for being taken advantage of.

That's why I'm very happy to support the bill tonight. I encourage, as the member did, the government to act quickly to send this to committee and on to third reading.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

Hon. Ross Romano: It is a pleasure to rise and speak to the many achievements that our government has accomplished over the past four years in order to build and maintain a strong environment for consumers and businesses alike.

I'll begin by reaffirming that our government is strongly committed to further consumer protection and to promoting Ontarians' trust and confidence in the marketplace. After all, a large part of our economic recovery depends on it. For this purpose, we have a number of important statutes, such as the Consumer Protection Act, that is focused just on doing this.

So when I saw the member opposite's bill come forward—and we had a brief conversation about it yesterday in the House—which was to essentially create another administrative authority, honestly, I was a little confused. I'm not sure what the NDP would want to achieve by bringing forth this legislation other than having more bureaucracy and red tape, and with more expenses and wasted taxpayer dollars. I'm afraid, Mr. Speaker, there really isn't much else to it.

In contrast, we have relied on and have even strengthened the Consumer Protection Act. This is because we know it is a key statute in Ontario's consumer protection framework. It applies to most transactions between consumers and businesses. It protects Ontarians of all walks of life, including our most vulnerable, like elderly populations and new immigrants, when harm is in their way. We're here to ensure that. Through the act, we're making sure we're purchasing goods and services within the marketplace that we need—obviously, just saw a critical element of that over the last several years now.

It also directly supports our government's commitment to supporting people wherever they may be shopping or

getting services, whether online or at home or in their communities, and ensuring that they're well informed and better protected. The act also applies to a wide range of transactions, from very simple straightforward purchases, such as buying a new sweater at the mall, to longer-term contracts for goods or services. The latter might include something like a time-share, even a lease agreement.

The Consumer Protection Act provides consumers with invaluable protection when they are in the marketplace, against misrepresentation, against undue sales pressures, which I will get into later on. We know how important this is for some of our most vulnerable members in society, who are unjustly targeted by those who take advantage of them. So I want to be clear that our government will continue to do everything it can to protect Ontarians from bad actors in the marketplace, wherever they are.

I think to that, we can agree: We want to ensure we're doing everything to protect our consumers. To ensure that they are protected is something that is going to require continuous and ongoing work as the world around us continuously changes. We will continue to review our existing legislation to help restore consumer trust and confidence, with a view to strengthening protection for all our consumers, instead of trying to push for the implementation of more red tape and more blockers that will just put more Ontarians at risk.

1820

In contrast, my ministry continues to implement measures to better protect consumers and enforce consumer protection at every turn. We also have a range of compliance and enforcement actions that we can take to bring about our goals, including complaint resolution, conducting inspections, issuing compliance orders, conducting investigations and, where appropriate, laying charges.

There are tools and resources that we make available to consumers so that they can research companies and avoid bad actors. For example, my ministry publishes information online through the Consumer Beware List relating to businesses that have been issued a compliance order, been charged or convicted of any offence, or failed to respond to complaints that have been filed with the ministry as they're required under the Consumer Protection Act. Penalties for violations range up to \$50,000 and include terms of imprisonment of up to two years, and, for corporations, fines of up to \$250,000.

Additionally, one of the strongest tools we have is the direct feedback that the consumers themselves provide us. There are reporting channels in place to facilitate hearing from consumers and providing them with simple and easy feedback. Consumers with complaints of alleged contraventions of the ministry's consumer protection statute should call Consumer Protection Ontario at 1-800-889-9768. I know the member from Essex really wants that, so I will say it again for him: It's 1-800-889-9768. I hope you will provide that to your constituents, because this is very important today. They may also wish to visit the consumer protection website at ontario.ca/consumerprotection to learn more about the complaint process and how to file a complaint.

Very simply, we are giving Ontarians the tools that they need to keep themselves and to keep each other safe in a marketplace that is increasingly interconnected and constantly evolving. We are going to continue evaluating the playing field to ensure that anyone who chooses to do business in Ontario can do so with confidence and reliability, instead of taking away the tools that are at their disposal and putting them in the hands of others, as this bill would propose.

There is also an established group of organizations that already play an important role in protecting consumers. For example, my ministry has oversight of 11 administrative authorities and one statutory corporation that are responsible for delivering critical programs and services, including ensuring that delegated consumer protection and public safety laws are applied and enforced. They include very flexible ways to respond to a wide range of emerging issues. For instance, the Real Estate Council of Ontario regulates real estate professionals and brokerages in the province on behalf of the government. They protect the public interest through a fair, safe and informed marketplace.

We also have administrative authorities for a number of sectors to ensure that those vital consumer protections are in place as intended. These authorities facilitate the recruitment and retention of industry expertise and support ongoing partnerships with technical and other sector-specific experts through advisory councils.

As I mentioned earlier, things around us are always changing and we need to keep pace with this change if we intend on continuing to protect Ontarians. That is why our government has taken steps to modernize consumer protection at every turn and to build even more confidence.

For instance, we introduced the Trust in Real Estate Services Act, which passed third reading just this last February—or in February 2020, my apologies—with unanimous support. Once fully enforced, the act will modernize the rules for registered real estate brokerages, brokers and salespersons. We know that in order to do this, we have to consult with the most important stakeholders there are, and that is the people of this province. Our government has been and will continue to consult with consumers and the real estate industry to develop the regulations that must be put in place so that the act can reap the benefits that it was intended to.

Recently, we consulted on the second phase of draft regulations, and as a part of this consultation, we proposed changes to, among other things, update the code of ethics regulations; enhance disclosure requirements and other registrant obligations to better protect the public and increase confidence and choice; and give the public more choice in the real estate trade by allowing a registrant to conduct an open offer process and to disclose the details of competing offers at the seller's direction. Registrants could not disclose any personal information or identifying information through this process. We are also updating the Real Estate Council of Ontario's regulatory powers and tools, including revising the procedures of their discipline committee.

Furthermore, as part of our commitment to consumer protection, in December 2019 we announced the Rebuilding Consumer Confidence strategy, which received royal assent in July 2020. This includes key consumer protection statutes and regulations as well as a commitment to the first comprehensive review of the Consumer Protection Act in over 15 years.

Think about that for a second: It had been 15 years since the Consumer Protection Act was even looked at. This was something that was allowed to sit under the former NDP-Liberal coalition that existed over the last 15 years prior to 2018. Now, of course, that same union, if you will, is proposing that we spend even more money on achieving fewer results for consumers. I can't speak for every member of this House, Speaker, but I just am not convinced in the slightest.

Instead of bringing wild suggestions and bad ideas to the table, we get our ideas directly from those who know best. That is why we turned to look at a review of the act. That is why we spoke to the consumers directly—because we want to hear from the people themselves. That is why, during 2020 and 2021, we did, in fact, consult with all of the people and businesses of Ontario in order to determine how to better the Consumer Protection Act, update it to reflect changes in technology, marketplace innovations, evolving consumer purchasing habits, all with the goal of protecting Ontarians. Updating the act would enhance consumer protection in general while addressing emerging problems more effectively.

Of course, we continue to consider all the feedback received while simultaneously responding to the challenges that the COVID-19 pandemic has presented to us.

We know that the majority of Ontario businesses are run by hard-working people who genuinely want to provide the public with quality goods and services. I'm sure nobody would deny that. Unfortunately, we do have bad actors that are out there with the intent to harm fellow Ontarians, and we want to increase awareness about them. We want to heighten consumer protection to make sure that no Ontarian is taken advantage of.

Speaker, in pith and substance, as I often like to say, we can all agree that we need to do more to protect the little guy; we need to do more to protect every Ontarian. We want to ensure that those protections are in place. We all care about ensuring that. But there are bad actors that do exist, and we do have a Consumer Protection Act that unfortunately sat idle for 15 years without being looked at. We are looking at that. We are using the tools at our disposal to come up with the solutions that the people of this province need, and we're doing it in a well-informed and thoughtful way. It's not a knee-jerk reaction. We're not just going to jump up and open up an agency to do something that we already have the tools to deal with right in front of us.

That is why we are doing the work that we are doing. We're ensuring that we're protecting consumers from door-to-door sales. We're protecting when it comes to the towing and vehicle storage sectors. We're creating protections for payday loans and other financial services.

And we're going to continue to look at ways to improve those consumer protections for all the people of this great province.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

Mr. Terence Kernaghan: I'd like to commend the member from Humber River–Black Creek for bringing forward this incredibly important legislation, Bill 77. I'd like to also thank the member from York South–Weston as well as the member from Scarborough Southwest for co-sponsoring this bill.

All Ontarians are consumers. Whether they're purchasing an item or accessing a service, everyone is a consumer in one way or another.

A fully independent consumer watchdog is long overdue. The act is not working, and people are not protected. This is a solution that people need. In fact, it's a solution that this government could use themselves, considering that they purchased gas pump stickers that did not stick, they had licence plates fabricated that did not work, and they invested in COVID-19 wristbands. They need the consumer watchdog.

Our homes are the biggest expense of our lives—places where families and seniors should be safe and protected from predatory businesses. Tarion and its unfortunate offshoot, HCRA—yet another layer of bureaucracy this government has created—do not protect the interests of homeowners. Tarion is mandatory, but it does not protect consumers. The last government knew Tarion was a problem. The current government knew Tarion was a problem, and they campaigned on abolishing Tarion, and yet here we are with yet another layer of bureaucracy. They had a sham consultation with a select amount of people. Even the FOIs from that showed that most people wanted a multi-provider model, yet this government still wants to continue with Tarion. Many board members, in fact, went from Tarion all the way over to HCRA. What a shock. More bureaucracy with some of the same key players, and there still isn't a consumer advocate on those boards.

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The AG found that the builder directory doesn't provide complete information on a builder's warranty history. This government is not doing its job to protect consumers. The Premier himself said that "government should not have a monopoly on any business," and yet we have the monopoly of Tarion.

It's clear that HCRA and Tarion operate to protect builders, but we need the consumer watchdog to hold them accountable because this government refuses to do the right thing, refuses to honour their promises and refuses to stand up for homebuyers.

CBC Marketplace recently had some coverage about Ontario Green Savings and their predatory HVAC scams. In my community of London, I've seen some unbelievable contracts. I'm holding one in my hand this day. It's from Green Retrofit Program Capital Inc., or GRPC. In this agreement, a \$550 water heater that anyone could pick up from Rona now costs at least \$20,000. It's a 144-month agreement that preys on seniors or otherwise vulnerable

people. This government, by not supporting this legislation, is saying they are okay with that. This GRPC has the services of KW Energy Home Services and they have the exact same address as GRPC. They seem to advertise reasonable services on their website, Speaker, but nowhere on the site is it advertised that they will sell water heaters for \$20,000.

Also in this contract: It increases by 5% every year. What other purchase do you have in life that it appreciates in value over time when you are using it? Nothing.

It's really disappointing that this government is not supporting this because homeowners' warranties should just be that, a warranty, something you can trust and depend upon. I look forward to, when the NDP forms government, that there will be a modern, fully independent, consumer watchdog.

As I close my comments, I want to remember Earl Shuman and Daniel Browne-Emery who spent years fighting for their protected rights, their warranty.

I encourage folks who may have fallen prey to an HVAC scam, because this government won't stand up for them, to go to the website ontariohvacscam.com because this government refuses to stand up for consumers, refuses to do the right thing. It's a shame.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

Ms. Doly Begum: I am pleased to bring this important bill forward to implement a consumer protection watchdog in Ontario. I want to thank my co-sponsor the member from Humber River-Black Creek for his leadership on this issue, and the work from the consultation process to putting this bill together. I also am joined by my colleagues and co-sponsors of this bill the members from London North Centre and York South-Weston.

Speaker, Scarborough Southwest is a community of incredibly dedicated people who work hard to provide for their families and contribute to the communities. Over the past years I have heard from so many of them who have been victims of predatory systems that take advantage of them, and they have no one or nowhere to turn to. This is why this bill for an independent consumer protection watchdog is so important.

While the power of this consumer protection watchdog is similar to the Auditor General, their job is to protect consumer rights in Ontario, and can actually bring fairness and justice by administering fines and other penalties against businesses or entities that take advantage of people.

Speaker, the consumer watchdog also has a mandate to be transparent and give consumers information about their rights, and be transparent about the number of complaints so others are aware and can protect themselves better.

I hear from so many in Scarborough Southwest about the ways they have been taken advantage of. One of the many issues includes auto insurance. People in Ontario pay the highest amount of auto insurance, and we know this way too well in many of our postal codes. Just think about what happened during the pandemic: So many people were stuck at home, didn't drive their cars, yet ended up paying a hefty amount of auto insurance costs

while insurance companies made huge profits, taking advantage of people in Ontario.

What about those who get tricked into signing a contract they don't even understand, and so many door-to-door scams? I hear from so many seniors, Speaker, who are worried—afraid, actually—to open their doors because they have already fallen victim to some door-to-door scam.

What about those who paid for renovation to their homes and ended up with a leaky roof but have no one to turn to? From price gouging to a lack of transparency in the marketplace and products and services that fall short of expectations in terms of their price, in terms of their value for money and quality, the list goes on.

Right now, for most consumer complaints, unlike what the minister just told us, when you go through the Consumer Protection Ontario system, many consumers find the process extremely difficult to navigate, and the most common response they get is to call a lawyer. And no, the 1-800 number is not a solution, nor is it a solution to call the Premier.

The consumer watchdog is to provide people, Ontarians, who have been taken advantage of a place to complain and have their rights protected. At a time when the cost of living, the cost of everything is out of control, it is more important than ever before that people are not taken advantage of and we help them be protected. The establishment of a consumer watchdog is to help address that gap by helping people across this province with the knowledge of their rights and a comprehensive system, a comprehensive consumer protection organization, that is dedicated to consumers and that will provide consumers with the confidence that their rights are protected.

March is Fraud Prevention Month. The current level of consumer protection in Ontario is not adequate. So I call on the government—I implore the government—to vote for a consumer protection watchdog and protect the rights of consumers, protect the rights of Ontarians.

The Acting Speaker (Mr. Percy Hatfield): The member for Humber River-Black Creek has two minutes to respond to what he has heard from his fellow colleagues this afternoon on his bill.

Mr. Tom Rakocevic: I want to thank the members from London North Centre, Scarborough Southwest, York South-Weston, Orléans and Sault Ste. Marie.

There you have it: Today I tabled a bill with my NDP colleagues to finally bring true consumer protection to Ontario, a plan supported by consumer protection experts to establish a consumer watchdog with real teeth to take on bad actors and make Ontario a fortress for consumer protection, and Conservative government members are voting against it. Even worse, the minister is telling consumers to call a dead line that has taken over 30,000 complaints and has not issued a single fine or charge. It's shameful. It's laughable.

History has repeated itself. I saw the incredulous eyes of government members when the Auditor General tabled her scathing report on Tarion. We all heard consumers weigh in on Tarion reform. Literally every person who came to committee shared the sad details of dreams turned

into nightmares, calling for substantive change. I saw the glassy eyes of government members when they heard the horror stories of consumers.

Speaker, the only person who came to committee and wanted status quo was the representative of the development industry. Do you know what? When it went to a vote, government members put their heads down and chose status quo. Today, they've done so again. They have voted to not take real action on bullying sales tactics, harming all of us, especially our seniors and most vulnerable. They've voted to continue allowing confusing contracts in tiny print that require an MBA to understand. They've voted to leave consumers exposed to lawsuits for simply telling the truth of their suffering. They've voted to continue forcing consumers to make their battles public and pay for justice in dollars and sweat and tears in a battle against Goliath. Once again, they've let consumers down, and the consumers will not forget.

And do you know what, Speaker? They aren't just protecting the bad actors; they are the bad actors.

The Acting Speaker (Mr. Percy Hatfield): The time for private members' public business has expired.

Mr. Rakocevic has moved second reading of Bill 77, An Act to provide for the development and implementation of a plan to establish a consumer watchdog organization.

Is it the pleasure of the House that the motion carry? I did hear a no.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

A recorded division being required, the vote on this item of private members' public business will be deferred until the next proceeding of deferred votes.

Second reading vote deferred.

The Acting Speaker (Mr. Percy Hatfield): All matters pertaining to private members' public business having been completed, this House stands adjourned until 9 a.m. tomorrow, Wednesday, March 9.

The House adjourned at 1840.

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Barrett, Toby (PC)	Haldimand—Norfolk	
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Blais, Stephen (LIB)	Orléans	
Bouma, Will (PC)	Brantford—Brant	
Bourgouin, Guy (NDP)	Mushkegowuk—James Bay / Mushkegowuk—Baie James	
Burch, Jeff (NDP)	Niagara Centre / Niagara-Centre	
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Cho, Hon. / L'hon. Stan (PC)	Willowdale	Associate Minister of Transportation (GTA) / Ministre associé des Transports (RGT)
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Fife, Catherine (NDP)	Waterloo	

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Gélinas, France (NDP)	Nickel Belt	
Ghamari, Goldie (PC)	Carleton	
Gill, Hon. / L'hon. Parm (PC)	Milton	Minister of Citizenship and Multiculturalism / Ministre des Affaires civiles et du Multiculturalisme
Glover, Chris (NDP)	Spadina—Fort York	
Gravelle, Michael (LIB)	Thunder Bay—Superior North / Thunder Bay—Supérieur-Nord	
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Harden, Joel (NDP)	Ottawa Centre / Ottawa-Centre	
Harris, Mike (PC)	Kitchener—Conestoga	
Hassan, Faisal (NDP)	York South—Weston / York-Sud— Weston	
Hatfield, Percy (NDP)	Windsor—Tecumseh	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du comité plénier de l'Assemblée législative
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Hunter, Mitzie (LIB)	Scarborough—Guildwood	
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Karahalios, Belinda C. (NBP)	Cambridge	
Karpoche, Bhutilla (NDP)	Parkdale—High Park	
Ke, Vincent (PC)	Don Valley North / Don Valley-Nord	
Kernaghan, Terence (NDP)	London North Centre / London- Centre-Nord	
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Kusendova, Natalia (PC)	Mississauga Centre / Mississauga- Centre	
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MacLeod, Hon. / L'hon. Lisa (PC)	Nepean	Minister of Heritage, Sport, Tourism and Culture Industries / ministre des Industries du patrimoine, du sport, du tourisme et de la culture
Mamakwa, Sol (NDP)	Kiiwetinoong	
Mantha, Michael (NDP)	Algoma—Manitoulin	
Martin, Robin (PC)	Eglinton—Lawrence	
Martow, Gila (PC)	Thornhill	
McDonell, Jim (PC)	Stormont—Dundas—South Glengarry	
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McNaughton, Hon. / L'hon. Monte (PC)	Lambton—Kent—Middlesex	Minister of Labour, Training and Skills Development / Ministre du Travail, de la Formation et du Développement des compétences
Miller, Norman (PC)	Parry Sound—Muskoka	
Miller, Paul (NDP)	Hamilton East—Stoney Creek / Hamilton-Est—Stoney Creek	
Mitas, Christina Maria (PC)	Scarborough Centre / Scarborough- Centre	
Monteith-Farrell, Judith (NDP)	Thunder Bay—Atikokan	
Morrison, Suze (NDP)	Toronto Centre / Toronto-Centre	

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Nicholls, Rick (OP)	Chatham-Kent—Leamington	
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Pang, Billy (PC)	Markham—Unionville	
Park, Lindsey (IND)	Durham	
Parsa, Michael (PC)	Aurora—Oak Ridges—Richmond Hill	Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
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Rakocevic, Tom (NDP)	Humber River—Black Creek	
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Rickford, Hon. / L'hon. Greg (PC)	Kenora—Rainy River	Minister of Indigenous Affairs / Ministre des Affaires autochtones Minister of Northern Development, Mines, Natural Resources and Forestry / Ministre du Développement du Nord, des Mines, des Richesses naturelles et des Forêts
Roberts, Jeremy (PC)	Ottawa West—Nepean / Ottawa-Ouest—Nepean	
Romano, Hon. / L'hon. Ross (PC)	Sault Ste. Marie	Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs
Sabawy, Sheref (PC)	Mississauga—Erin Mills	
Sandhu, Amarjot (PC)	Brampton West / Brampton-Ouest	
Sarkaria, Hon. / L'hon. Prabmeet Singh (PC)	Brampton South / Brampton-Sud	President of the Treasury Board / Président du Conseil du Trésor
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Schreiner, Mike (GRN)	Guelph	
Scott, Laurie (PC)	Haliburton—Kawartha Lakes—Brock	
Shaw, Sandy (NDP)	Hamilton West—Ancaster—Dundas / Hamilton-Ouest—Ancaster—Dundas	
Simard, Amanda (LIB)	Glengarry—Prescott—Russell	
Singh, Gurratan (NDP)	Brampton East / Brampton-Est	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Singh, Sara (NDP)	Brampton Centre / Brampton-Centre	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Skelly, Donna (PC)	Flamborough—Glanbrook	
Smith, Dave (PC)	Peterborough—Kawartha	
Smith, Hon. / L'hon. Todd (PC)	Bay of Quinte / Baie de Quinte	Minister of Energy / Ministre de l'Énergie
Stevens, Jennifer (Jennie) (NDP)	St. Catharines	
Stiles, Marit (NDP)	Davenport	
Surma, Hon. / L'hon. Kinga (PC)	Etobicoke Centre / Etobicoke-Centre	Minister of Infrastructure / Ministre de l'Infrastructure
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Tangri, Hon. / L'hon. Nina (PC)	Mississauga—Streetsville	Associate Minister of Small Business and Red Tape Reduction / Ministre associée déléguée aux Petites Entreprises et à la Réduction des formalités administratives
Taylor, Monique (NDP)	Hamilton Mountain	
Thanigasalam, Vijay (PC)	Scarborough—Rouge Park	
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Walker, Bill (PC)	Bruce—Grey—Owen Sound	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président

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Wilson, Jim (IND)	Simcoe—Grey	
Wynne, Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	
Yakabuski, John (PC)	Renfrew—Nipissing—Pembroke	
Yarde, Kevin (NDP)	Brampton North / Brampton-Nord	
Vacant	Ajax / Ajax	
Vacant	Don Valley East / Don Valley-Est	
Vacant	Elgin—Middlesex—London	

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