

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

A-30

**Journal
des débats
(Hansard)**

A-30

**Standing Committee on
Government Agencies**

Organization

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Organisation

Nominations prévues

1st Session
43rd Parliament

Thursday 18 April 2024

1^{re} session
43^e législature

Jeudi 18 avril 2024

Chair: David Smith
Clerk: Isaiah Thorning

Président : David Smith
Greffier : Isaiah Thorning

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House Publications and Language Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400
Published by the Legislative Assembly of Ontario



Service linguistique et des publications parlementaires
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400
Publié par l'Assemblée législative de l'Ontario

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Thursday 18 April 2024

Jeudi 18 avril 2024

The committee met at 0900 in room 151.

ELECTION OF CHAIR

The Clerk of the Committee (Mr. Isaiah Thorning):

Good morning, honourable members. It is my duty to call upon you to elect a Chair.

Are there any nominations? MPP Holland.

Mr. Kevin Holland: I nominate Mr. David Smith from Scarborough Centre to be the Chair of this committee.

The Clerk of the Committee (Mr. Isaiah Thorning): MPP Smith, do you accept the nomination?

Mr. David Smith: Yes.

The Clerk of the Committee (Mr. Isaiah Thorning):

Are there any further nominations for Chair? Seeing none, I declare nominations closed and MPP Smith elected Chair of the committee.

ELECTION OF VICE-CHAIR

The Chair (Mr. David Smith): Thank you very much.

Good morning, everyone. The Standing Committee on Government Agencies will now come to order.

We are joined by staff from legislative research, Hansard, and broadcast and recording. As always, all comments by all members and witnesses should go through the Chair.

Our first item of business is to appoint a Vice-Chair before we proceed. I would like to draw your attention to standing order 119(d): "When there are two recognized parties, where the Chair of a standing committee is a member of the party forming the government, the Vice-Chair shall be a member of a recognized party in opposition to the government or an independent member...."

It is now my duty to entertain the motion for a Vice-Chair. Are there any motions?

Mr. Chris Glover: I nominate MPP Chandra Pasma as Vice-Chair of the committee.

The Chair (Mr. David Smith): A motion has been moved by member Chris Glover. Is there any debate? Seeing none, are the members ready to vote? Shall the motion be carried? The motion is carried.

APPOINTMENT OF SUBCOMMITTEE

The Chair (Mr. David Smith): Any further business before we move on? MPP Holland.

Mr. Kevin Holland: I move that MPP Mike Harris be appointed to the subcommittee on committee business.

The Chair (Mr. David Smith): A motion has been moved by MPP Holland. Is there any debate? Seeing none, are the members ready to vote? Shall the motion be carried? The motion is carried.

INTENDED APPOINTMENTS

NOMINATIONS PRÉVUES

MR. ORLANDO ROSA

Review of intended appointment, selected by government party: Orlando Rosa, intended appointee as member, Ontario Northland Transportation Commission.

The Chair (Mr. David Smith): Our first intended appointee today is Orlando Rosa, nominated as member of the Ontario Northland Transportation Commission.

You may make an initial statement at your discretion. Following this, there will be questions from members of the committee. With that questioning, we will start with the government, followed by the official opposition, with 15 minutes allocated to each recognized party. Any time you take in your statement will be deducted from the time allotted to the government.

Go ahead, sir.

Mr. Orlando Rosa: Thank you, Mr. Chair. Good morning.

My name is Orlando Rosa. I have applied to be appointed to the Ontario Northland Transportation Commission. I'm here to provide a brief overview of my relevant experience and to answer any questions that you may have.

I graduated cum laude with an LLB degree from the University of Ottawa law school in 1981. Following graduation, I articulated with the Wishart Law Firm in the city of Sault Ste. Marie, became a partner in 1987 and later assumed the managing partner role, which I held for many years. Throughout my 41-year legal career, I specialized in civil and commercial litigation and environmental and railway law. I represented clients at all court levels, including the Supreme Court of Canada, and I also have extensive experience in arbitration.

My involvement in railway and transportation law dates back to the 1990s. I've represented federally regulated railways and major class 1 railways in Canada until in or about 2019. I've handled a wide array of cases for these clients, including civil litigation, commercial matters and real estate

deals. I've been responsible counsel acting on real estate deals exceeding \$1 billion for these class 1 railways.

I need to point out that I also have extensive experience in railway and transportation law and have been extensively involved, as indicated, in the sale of railway subdivisions in southern Ontario. I have a wide-ranging knowledge of all aspects of the ownership of railway property, rights-of-way crossings etc. I published an article entitled "Railway Traffic Liability and Himalaya Clauses: A Mountain of Complexity" in the Transportation Lawyer publication.

Most recently, I was asked to write a chapter in Richard Lande's book, *Transport Law in Canada*, and that chapter is entitled "Rail Transportation in Canada—a primer." I will call that up if I may be permitted to share a screen. Mr. Chair, I don't know if I can do that from—oh, yes, just give me a moment. This is a copy of the cover to the book, and here's the chapter that I wrote, "Rail Transportation in Canada—a primer." We can get into that later if you wish. I specifically discussed in that chapter not only federal and provincial railways but also the Ontario Northland Railway, which is operated by the ONTC under its governing legislation. Part 3 of that chapter deals, as indicated, with provincial regulation of railways; the Railways Act of Ontario; the Shortline Railways Act, 1995; and the Ontario Northland Transportation Commission Act.

Furthermore, I've presented at conferences for the American Association of Railways and the Canadian Transport Lawyers Association.

In terms of board experience, I've served nine years on the Ontario Lottery and Gaming Corp. board. I had the advantage of getting training in governance, diversity, First Nation relations. I've also held roles at organizations such as Sault College, Children's Rehabilitation Centre Algoma and Community Living Algoma. My expertise extends to negotiating joint ventures and community benefit agreements with First Nations, understanding their dynamics and the duty to consult.

Given my extensive experience and commitment to public service, I believe that I could contribute effectively to the Ontario Northland Transportation Commission. I am keenly aware of the transportation requirements in northern Ontario and the importance and value of rail infrastructure. I am passionate about maintaining and enhancing transportation infrastructure in northern Ontario, and I'm dedicated to fulfilling the responsibilities of an ONTC member.

I would be pleased to answer any questions.

The Chair (Mr. David Smith): Thank you.

The remaining time will now go to the government.

Mr. Mike Harris: Thank you, Mr. Rosa, for appearing all the way from what I hope—

The Chair (Mr. David Smith): Just before you start—we have MPP Harris who will be speaking.

Mr. Mike Harris: Sorry about a little bit of the confusion this morning. We've got a few changes we've made to committee, and we're just working out the kinks.

0910

Thank you for joining us all the way from what I hope is beautiful, sunny, no-snow Sault Ste. Marie.

I'm from North Bay originally and am very familiar with the Northlander train. I've taken it many times over

the years, and I am very happy to see that it's going to be coming back and that you, with your experience in the sector, hopefully, at the end of the committee hearings today, will be able to take part in that.

I did want to ask a little bit about how you think your law experience will be able to benefit the ONTC's Northlander revitalization project, and give you a chance to talk a little bit more about your legal background and how that will factor into things moving forward.

Mr. Orlando Rosa: I've been involved in representing class 1 railways, I'm going to say, for at least 20 years, and during the course of my representing those railways, it wasn't just in litigious matters; it was also matters involving commercial transactions.

I also have had experience—excuse me. I also had involvement in regard to passenger transportation when I represented one of the shortline railways in Sault Ste. Marie. Therefore, I—

Interruption.

Mr. Orlando Rosa: Sorry about that. Apologies.

Mr. Mike Harris: It's okay. We have our phones confiscated if they go off in the Legislature, so—

Mr. Orlando Rosa: I apologize. I wasn't expecting a call.

In any event, I've been involved. In my former days with Algoma Central, I was quite aware of the passenger service in Sault Ste. Marie and Hearst, Ontario. I was involved in terms of assisting in the negotiation of that. That was subject to a federal subsidy. I had been quite involved in terms of the Agawa Canyon Tour Train with the former railway, Algoma Central, and its successor, the Wisconsin Central. I dealt with those companies on a very extensive basis.

So I understand the dynamics of passenger transportation. I understand the concept of, obviously, the operating expenses that go with operating the railway—how they're allocated to passenger versus freight and things of that nature. I understand the costing that goes into it.

While I was working for all these railways, one of the things that we had to become quite conversant in is actually how things are costed in terms of operations. That, I think, was an important part of the lesson that I learned as counsel acting for these various railways.

So I understand the costing. I understand their infrastructure aspects—

Mr. Mike Harris: So it's fair to say that you have a pretty deep understanding of the sector, just given the work that you've done for many, many years, the publications that you've put together and deliberations that you've taken part in.

Mr. Orlando Rosa: Yes.

Mr. Mike Harris: Thank you.

I'll pass it over to one of my colleagues, Chair.

The Chair (Mr. David Smith): MPP Holland.

Mr. Kevin Holland: Thank you, Mr. Rosa, for taking the time to present to committee today. I know everybody has got a busy time, so you being able to be with us is much appreciated. I appreciate your interest in serving on the board.

I'm just curious why your perspective, shaped by your company's work in northern Ontario, will be crucial for the board.

Mr. Orlando Rosa: Beyond what I just indicated to the other honourable member, I have an acute understanding of the transportation needs, especially rail transportation, in northern Ontario, given where I am, given my knowledge and understanding of industry, resources, mines and other forms of businesses that operate.

One of the challenges in northern Ontario is that most of these shortlines, if I may use that term, are low-density. There's not a lot of traffic on those lines, not a lot of customers, so the real challenge in northern Ontario is for the shortline to garner enough business to make the line financially viable. I am aware of the lines that Ontario Northland has and how they interchange with the CN/CP lines, and even how they interchange with other lines.

So, yes, I'm acutely aware of the need, and when I say "the need"—I think it's critical for the survival of northern Ontario that we have good rail infrastructure, because it's the old story: Build it, and they will come. For example, we haven't talked about the Ring of Fire, but that's going to be a challenge that I think the Ontario government and the federal government will have in the next five to 10 years, in terms of constructing and providing the necessary rail infrastructure to service that resource.

Mr. Kevin Holland: Thank you. I appreciate your answer. I'll pass it on to my colleague.

The Chair (Mr. David Smith): MPP Kusendova-Bashta.

Ms. Natalia Kusendova-Bashta: Good morning, Mr. Rosa. It's great to hear from you this morning.

I just want to state for the record that I'm really proud to be a member of a government that's building transit infrastructure across Ontario. A couple of days ago, we just announced an expansion of adding 300 more trips to our GO train system. Of course, northern Ontario is a big part of our province, and so our Premier wanted to make sure that that transit expansion does reach our friends in the north, as well. So it's really great to have someone with your expertise to hopefully be joining the Ontario Northland Transportation Commission.

I did want to ask you to expand a little bit on that chapter in the book that you wrote. I think that's wonderful. I myself am a scholar, as well, so I always find very intriguing how people wear so many hats. Certainly, being able to write a chapter in a book—that's quite impressive. Can you tell us a little bit about that?

Mr. Orlando Rosa: A colleague of mine, Richard Lande, who I know quite well, asked me if I would write a chapter in the book, *Transport Law in Canada*. It doesn't just cover rail transportation; it covers truck transportation, all other forms of transportation.

Let me just, if I may—I'll call it up again for you. I specifically address the Ontario Northland Transportation Commission Act and provincial railways. I start speaking to the difference between federal and provincial railways. I talk about the Canada Transportation Act. And then I lead into some passenger rail train service, which is handled by Via Rail Canada Inc., a crown corporation; that's at the

federal level. I deal with the constitutionality of federally regulated railways.

In part 3, I deal with provincial railways. And I deal with the Railways Act of Ontario. It's quite an antiquated act that hasn't been amended in many, many years—a 1950 act—but it's still out there.

The Chair (Mr. David Smith): One minute left.

Mr. Orlando Rosa: Thank you.

The act doesn't really apply to the Ontario Northland. The Ontario Northland Transportation Commission Act deals with that. I speak to the Shortline Railways Act of Ontario; again, this does not apply to the ONTC.

Then, I talk about the ONTC transportation commission—which at one time, as you probably may or may not know, was the Temiskaming and Northern Ontario Railway Act. It was established many, many years ago by the Ontario government. I lay out its operations, how it has an affiliation to the Nipissing Central Railway, which it operates from North Bay to Rouyn-Noranda. And then I talk about the powers—

The Chair (Mr. David Smith): That's all the time allotted. You seem to have a lot to say—very interesting.

I will turn to the official opposition. MPP Chris Glover.

Mr. Chris Glover: Thank you, Mr. Rosa, for putting your name forward here and for applying to be in this position.

0920

I've gone through the notes that I have, and I've been listening to the conversation. You've got an extensive background in railroads.

I love railroads. I love travelling by train; it's my favourite way of travelling. When I used to live and work in Geraldton, Ontario, I used to be able to take the train up to Geraldton, and it was just so pleasant. It's a nice, pleasant ride. You don't have to worry about driving. And it was, at the time, about the same cost as gas.

Anyway, I want to ask a few questions. You mentioned that you were a board member for the Ontario Lottery and Gaming Corp. What was your role there? What were you doing there?

Mr. Orlando Rosa: Well, I was a board member. I was appointed, I believe, under the Wynne government, and I was reappointed under the Ford government. I was a board member and I was there for nine years, at which time, I termed out. I couldn't sit beyond the nine years. So I was there during the modernization of the OLG, when the various casino bundles were sold—

Interruption.

Mr. Chris Glover: Hang on one second, Mr. Rosa. We've got some audio—

Interjection.

Mr. Chris Glover: Oh, okay. It was another phone problem. Apparently, my phone was too close to the speaker here and was echoing the message.

Sorry. Continue, please.

Mr. Orlando Rosa: As indicated, I was there during the modernization of the OLG, when the land-based gaming was tendered and sold to outside private interests. So I was there during that entire period. I was also there during the development of e-gaming and things of that nature.

Mr. Chris Glover: What was your perspective on the sell-off to private interests?

Mr. Orlando Rosa: I think it was the right thing to do at the time. The cost of running the land-based casinos wasn't justified. The private operator could do it much better. And the returns to government, as was explained to us, and I think it sort of followed through in terms of the actual results—it was better for the private sector to run the land-based casinos. They were able to do a much better job. They injected a lot of capital, built a number of casinos in Ontario, and I think, as a result, we have a better product.

Mr. Chris Glover: I also noticed that you have extensive experience volunteering with organizations for disabled children and adults.

Can you talk a little bit about the barriers that disabled people in northern Ontario face regarding transportation?

Mr. Orlando Rosa: In terms of passenger rail service—unfortunately, in Sault Ste. Marie, we don't have that anymore. It's my hope that at some point we can revitalize that. I know that in Sault Ste. Marie, for example, there is a group which is promoting the reintroduction of the Sault Ste. Marie Hearst train.

Disabilities: The challenges, I think, in northern Ontario are not unlike the challenges throughout the province of Ontario. I think that the entities that operate, whether rail, air transport or bus, do a fairly good job, considering the resources that they have.

Mr. Chris Glover: Can you talk a little bit more about your experience on those boards that serve disabled children and adults?

Mr. Orlando Rosa: I was the president of Children's Rehabilitation Centre Algoma for a number of years—I think it was 2005 to 2008 or something. The children's rehab took care of disabled kids, provided all sorts of services. I was the president of that board, and we provided those services.

Likewise, with Community Living Algoma, dealing more with adults with disabilities—the same sort of services, but for adults, we had group homes and things of that nature. I believe I was on that board for four to five years.

Mr. Chris Glover: Are there adequate group homes for people with disabilities in the Soo?

Mr. Orlando Rosa: I haven't been on that board for a number of years. It would appear so, at this time—that there are those types of homes. I know that we have the district social services board, which provides housing to those in need, as well. So I think there's enough adequate homes. I haven't heard a massive public outcry that there aren't those facilities available.

Mr. Chris Glover: That's good. There is a drastic shortage here in Ontario. There's one report that 40% of people who are in encampments actually have some sort of disability or mental illness. So I'm glad to hear that they have the services up in the Soo. We need to make sure that we get them across the province.

My next question: Indigenous communities face great difficulty accessing goods and services due to their remote locations. For some, this drives food prices to unaffordable

levels. Some communities have had to evacuate their most vulnerable residents because they could not rely on access to health care services. How can we begin fixing this burgeoning problem?

Mr. Orlando Rosa: Well, I also have the benefit of representing a number of First Nations that have these remote communities, as you indicated, and I can tell you that, to a very large extent, the issues that—in Sault Ste. Marie at least, the leaderships of these particular First Nations that I deal with have been very proactive in providing these services to their members on the reserve. Obviously, we all know the issues that First Nations have faced, the challenges over the many years, but I see now, at least from the First Nations that I'm dealing with, that they're making a very concerted effort to provide better services to their members.

In fact, one of the First Nations that I am dealing with is partnering with the federal government to provide a place to safely evacuate those First Nations that are facing the challenge of forest fires or things of that nature. There is infrastructure currently being worked on in the north that will provide evacuation villages for these individuals. I think it's kind of a work in progress.

I've always been quite impressed by the leadership of First Nations and how proactive they're becoming on a lot of these issues.

Mr. Chris Glover: Before becoming an MPP, I used to teach a course on the history and economics of Ontario. I began teaching that course in 2009, and one of the things they were talking about was the imminent opening of the Ring of Fire, because of all the minerals that had been found there. I continued teaching the course until 2018, and still, the Ring of Fire hadn't opened. I'll just ask a question about the transport there.

One of the studies that I came across when I was teaching that course was that, if there are three million tonnes a year being transported in or out of the Ring of Fire, the cost per tonne for rail is \$10.50; the cost for road is \$60.78—

Mr. Mike Harris: Point of order, Chair.

The Chair (Mr. David Smith): Point of order.

Mr. Mike Harris: Thank you very much, Chair. I would just remind the member from Spadina–Fort York that we're here to discuss the qualifications of this individual when it comes to the Ontario Northland Transportation Commission; not necessarily about industrial services that are being provided or not being provided in other parts of northern Ontario.

The Chair (Mr. David Smith): Could you stick to—

Mr. Chris Glover: Yes, that's fine. I'll try to redirect this, because it is about the advantage of road versus rail, which is exactly what the Northlander is.

The Northlander railroad was closed in 2012, and now the government is proposing to reopen it in 2026. The New Democratic Party has been advocating for it. We fought against the closure in 2012, and we've been advocating for the reopening of it since then. It just makes a lot of sense. It serves communities that are otherwise cut off.

If we're talking about a rail network—and you were talking about how the challenge in northern Ontario is that

you have to have a volume of traffic on the railroad to make the maintenance of that railroad viable—would it make the Northlander and the railroad that serves the Northlander more viable if it was rail going into the Ring of Fire? I'm not advocating for road or rail for the Ring of Fire. I'm just asking a question.

Mr. Orlando Rosa: Well, certainly, the more track you have and the more business you have on the line, the more economically feasible the line would become.

The challenge, I think, would always be how you get from the current track—at least where the track is currently, which it controls, in northern Ontario. How do you get over to the rail to the Ring of Fire? That's always going to be a challenge. And a challenge is going to be building the infrastructure. It's very costly; that we do know. Who's going to own and operate the rail infrastructure, and who will have the running rights over the rail?

0930

I know in the context of where I am, the northern Ontario—the old ACR line. I understand that there are issues. There are businesses and there are mines and there's industry along that line that no longer have the ability to access rail traffic because the line isn't operating right now. I know they're working toward getting it reopened, but there are challenges. It's very difficult terrain, and so it gets expensive. There are many, many bridges that have to be maintained. And safety is always the number one priority of any railway, including the ONTC.

Mr. Chris Glover: I've got a few other questions to ask, but I'll take one more minute to ask about the cost of rail and whether it's fairly distributed.

In my mother's day, she lived in Uxbridge, Ontario, and she used to take the train to Peterborough, to Lindsay, to Toronto—there were frequent trains all across. If you look at a map of Ontario, even in the late 1800s, there was a network of railroads that connected all the towns.

You've been talking about how—the Northlander was just cut in 2012. You were talking about how there used to be a rail line to the Soo, regular passenger service to the Soo.

Are our railroads at a disadvantage because our roads are largely paid for through taxes but the railroads are paid for by the companies that use them?

Mr. Orlando Rosa: That's a tough question. It's something that I think is more something—I have to wade into some beliefs that I have. That's an answer that I really can't give you. I can't answer that question.

Mr. Chris Glover: Fair enough.

Mr. Orlando Rosa: Sorry.

Mr. Chris Glover: Actually, I'm taking this opportunity to ask the question, too, because I am interested in rail, in large part because it is more environmentally friendly.

Mr. Orlando Rosa: I would agree with you.

Mr. Chris Glover: I have some quick, uncomfortable but necessary questions that I need to ask, as a member of the opposition.

Have you ever been a member of the Progressive Conservative Party provincially?

Mr. Orlando Rosa: Yes.

Mr. Chris Glover: For how long?

Mr. Orlando Rosa: My membership probably dates back to 1995 or so.

Mr. Chris Glover: Are you currently a member?

Mr. Orlando Rosa: I believe I am, yes.

Mr. Chris Glover: Have you ever been a member of the Conservative Party federally?

Mr. Orlando Rosa: Yes.

Mr. Chris Glover: Are you currently a member?

Mr. Orlando Rosa: Yes.

Mr. Chris Glover: Have you ever donated to the Conservative Party, either provincially or federally?

Mr. Orlando Rosa: Both, yes.

Mr. Chris Glover: Actually, I've got a record of donations; there are quite extensive donations.

Have you ever worked on a Conservative election campaign?

Mr. Orlando Rosa: Yes.

Mr. Chris Glover: When?

Mr. Orlando Rosa: I've worked on a number of campaigns, dating back to Jim Kelleher's days, back in the 1980s.

Mr. Chris Glover: Obviously, you've got extensive experience in this, too, but why should people believe that this appointment is not being made as a recognition of your extensive donations or your support for the PC Party?

Mr. Orlando Rosa: I believe that the appointment is being made because I'm well-qualified in this area. I have extensive experience in railway transportation in Canada. Some people would say that I'm an expert—I've sort of moved away from that, as I'm moving into semi-retirement—and a lot of questions are put to me, not on a weekly basis, but oftentimes, because I have that extensive knowledge. When you talk about railways, it's not just about railway accidents, stuff like that. I'm probably one of the few lawyers that the class 1—well, I know I'm the only lawyer that the class 1 railway that I acted for sent to a derailment course that was taught by an American expert, so I spent a week or so just learning about derailments and how they occur and that aspect. But that's just part of it. Dealing with derailments, dealing with tariff issues, dealing with—

The Chair (Mr. David Smith): That concludes the allotted time for this round.

Thank you very much for your presentation.

MS. PAULA WEST ORESKOVICH

Review of intended appointment, selected by official opposition party: Paula West Oreskovich, intended appointee as member, Landlord and Tenant Board.

The Chair (Mr. David Smith): Our second intended appointee today is Paula West Oreskovich, nominated as member of the Landlord and Tenant Board.

You may make initial statements at your discretion. Following this, there will be questions from members of the committee. With that questioning, we will start with the government, followed by the official opposition, with 15 minutes allotted to each recognized party. Any time you take in your statement will be deducted from the allotted time of the government.

I will turn to Ms. Paula West Oreskovich for her to begin her presentation.

Ms. Paula West Oreskovich: Good morning, bon matin to all the honourable members of the standing committee. Thank you for inviting me to appear before you to discuss my qualifications for my appointment as an adjudicator for the Landlord and Tenant Board.

My name is Paula West Oreskovich. Although I now live in Barrie, my heart is always with my northern Ontario roots—growing up in Haileybury and spending much of my adult life in Kapuskasing. Je suis fière d’être franco-ontarienne, and I’m a proud citizen of the Métis Nation of Ontario.

After high school, I attended the University of Ottawa and graduated with a degree in social science, majoring in political science. This academic success provided the grounding for my future professional roles in the law.

Also during my time at university, I was a figure skater, representing the Ottawa university figure skating team.

At age 21, I became an Ontario Provincial Police officer, reporting to Kapuskasing. Prior to this, no other female police officer was ever posted to this detachment. I spent 17 years with the OPP, where I held many positions. I have investigated numerous cases throughout my career, often involving complex factors and circumstances, in very high-stress situations. One position I held was the abuse issues investigator, investigating domestic, child, elder and sexual abuse matters. I have spoken to hundreds of victims of crime throughout the years, listening to their very sensitive personal and traumatic experiences.

Additionally, I was a coach officer, background investigator and, lastly, a detective in the investigations bureau. In these roles, I have honed useful skills relevant to adjudication, including fact-finding, dispute resolution, de-escalating conflict, ability to interpret law, communication, which I can do in both languages, and other core competencies.

During my time in Kapuskasing, I remained active in my community as a figure skating coach, teaching skating at all skill levels and ages.

I feel it is important to give back to others and set an example for the people in my community, particularly young people.

I am a mother of three active children. For a time I remained home and focused on their development, including all their academic and sporting activities. After they were off and running, I attended Georgian College, in the postgraduate paralegal program, graduating with honours. I then became fully licensed with the Law Society of Ontario.

Currently, I am a bilingual dispute resolution officer at the Landlord and Tenant Board. As part of this role, I am a neutral third party, where I resolve applications for mediation between landlords and tenants. I help the parties develop their own solutions, which are mutually agreed upon. I write legally enforceable orders reflecting these terms. My direct knowledge with the Landlord and Tenant Board and the Residential Tenancies Act has developed transferable skills I will bring to the table, should I be appointed.

I have a lifelong commitment to community involvement. My parents, who are 74 and 78, still volunteer to this day. Some of my past volunteering community experience includes volunteer firefighter; advisory committee for the women’s shelter the Habitat Interlude; founder of the VCARS committee, which is the victim crisis agency referral system, and I helped bring VCARS to our community; coach’s representative at the Kapuskasing Figure Skating Club; team manager for the Barrie Minor Hockey Association; team manager, trainer and certified coach for the Kapuskasing Women’s Hockey Association; and director, then treasurer, for the Kapuskasing Indian Friendship Centre.

Currently, I am the president of the Barrie Native Friendship Centre.

I also volunteer as the insurance representative at my roller derby league.

I have a lifelong commitment to sports and to the outdoors, essential to my physical and mental well-being. I have big shoes to fill because my father walks 15 kilometres a day and won’t go to bed unless he puts 20,000 steps on his Fitbit.

To conclude, I have spent my entire life serving my communities as a decision-maker, mediator and leader, often in very stressful and high-conflict situations. I pride myself to be disciplined. I come to the table ready to serve the province in this important way, with a lot of life experience and the necessary skills to undertake this role.

0940

Thank you. Merci. Meegwetch.

The Chair (Mr. David Smith): Thank you very much. MPP Kanapathi.

Mr. Logan Kanapathi: Thank you for being here, virtually, and thank you for putting your name to this board. I know your passion and your length of experience in many areas, including in enforcement, in the law. Also, you have lifelong experience in volunteerism.

Can you please share with the committee what sort of engagement you have in your community? You mentioned your volunteer experience. What have you learned from it, and how will it inform your work on the Landlord and Tenant Board?

Ms. Paula West Oreskovich: I think if you want to serve your community, you have to know and understand your community, and you do this by volunteering, by talking and interacting with people.

As previously stated, I have lifelong community involvement, interacting with people of varied backgrounds—marginalized, disadvantaged people; youth. I understand my Indigenous community. I understand the unique challenges in northern Ontario communities. And I’ve lived in communities where the French language is widely spoken.

The Chair (Mr. David Smith): Ms. Kusendova-Bashta.

M^{me} Natalia Kusendova-Bashta: Merci, madame, pour votre présentation aujourd’hui. Je suis ravie de rencontrer une autre Franco-Ontarienne. Les Franco-Ontariens et Franco-Ontariennes « déservent » d’avoir des services en français, alors c’est très important qu’on ait des adjudicateurs dans notre conseil des propriétaires et locataires qui parlent français pour pouvoir offrir des services en français.

Alors, vous avez parlé de votre expérience comme policière, pompière, etc. C'est un résumé très impressionnant, et c'est aussi bien de voir une femme dans ces services très importants pour notre communauté.

Mais nous savons que le conseil des propriétaires et locataires a des volumes de charge de travail élevés. Pouvez-vous nous parler de votre expérience de gestion de cas lourds?

M^{me} Paula West Oreskovich: Quand j'étais policière, j'avais toujours beaucoup d'investigations qu'il fallait que je fasse, et j'avais des temps requis—des deadlines—qu'il fallait que j'attende sur.

I think that with the Landlord and Tenant Board, there is a heavy caseload, and I will try my best to adhere to the timelines and guidelines that are set out in the Landlord and Tenant Board and do my best to meet those demands. I'm used to working in high stress and high conflict—and that doesn't shy away from why I'm here today.

M^{me} Natalia Kusendova-Bashta: Merci beaucoup.

The Chair (Mr. David Smith): MPP Sandhu.

Mr. Amarjot Sandhu: Thank you, Mr. Chair, and congratulations on your new role.

Ms. Oreskovich, thank you so much for your presentation.

My question is, what do you believe it takes to be an effective member of the Landlord and Tenant Board?

Ms. Paula West Oreskovich: I think to be an effective member of the Landlord and Tenant Board, you have to be a good independent decision-maker.

In my past career, I've investigated hundreds of investigations, which is essentially—you are an independent decision-maker. So I also have decades of that experience to bring to the table.

I know how to interpret and apply law. I understand case law. I know how to sift through evidence and determine what is relevant. As mentioned, I'm used to the high stress and the high conflict. Often, there's conflicting information, so you've got to sift through everything to see what's relevant.

I'm very self-disciplined. And I can communicate to the province in both languages.

The Chair (Mr. David Smith): MPP Harris.

Mr. Mike Harris: How much time is left, Chair?

The Chair (Mr. David Smith): Six minutes.

Mr. Mike Harris: Oh, my gosh, amazing.

Thank you, Paula, for being here today.

I want to ask you a little bit about your ranges of professional experience that you've had in your career. Could you tell us a little bit about how you think—and I'm probably thinking more along the lines of your experience with the OPP and, obviously, having quite a career there. What do you think you can transfer over to being a full-time member on the LTB—and some of the experiences that you've had, obviously, around mediation, not necessarily as a mediator, but in some of your other jobs over the years?

Ms. Paula West Oreskovich: I think as far as being a police officer and how that would be transferable—again, without sounding repetitive, I think it's just the ability to make decisions and know that that's an independent job

that I will be undertaking that I have, again, decades of experience with.

Could you repeat your question?

Mr. Mike Harris: Sorry. What sort of transferable skills do you have from previous experience—and I'm thinking more along the policing side—that you can bring into the Landlord and Tenant Board as a full-time member? And how do you think those prior experiences will help you in doing your job moving forward in the future?

Ms. Paula West Oreskovich: Well, I think as far as transferring high-stress jobs, it will be—sometimes it's high-stress running these Zoom meetings. I know how to de-escalate. I know how to keep the parties calm. And even what I do today—I come to the table already knowing the Residential Tenancies Act, although not to its entirety. I'm familiar with the Residential Tenancies Act. I'm familiar with how the Zoom meeting works. I'm familiar with the applications.

I think all of my past work experience is highly transferable to what I'll be doing at the board.

The Chair (Mr. David Smith): MPP Pang.

Mr. Billy Pang: Good morning, Paula. It's nice to meet you here.

I think you mentioned earlier the impartial role of the LTB.

Can you share with us how your previous work experience would assist you in being a fair and impartial adjudicator in the LTB?

Ms. Paula West Oreskovich: As far as impartiality, this essentially means that, as a decision-maker, I will have no personal interest or stake in the decision or the outcome. Impartiality is really at the forefront of what an adjudicator is.

The Chair (Mr. David Smith): MPP Holland.

Mr. Kevin Holland: Thank you for being with us today. I appreciate you taking the time to come meet with us.

You were recommended for this process following Tribunals Ontario's competitive, merit-based recruitment process. I'm just curious as to what your impression was of the process.

Ms. Paula West Oreskovich: The process was thorough. I first applied through the portal. I then had an interview, and then I had a written test—so written submissions. I cleared the conflict of interest—and now I stand before you today.

Mr. Kevin Holland: I see from your experience—and you've talked about it a lot here already with the other members, so I won't make you go through it.

I would just like to state that I appreciate your service as an OPP officer. In my career, I've worked with OPP quite extensively, so I hold the utmost respect for the OPP officers, especially those in northern Ontario. I'm from Thunder Bay. Policing in those parts of the province is much different.

I believe that some of your experience, coming from northern Ontario, will suit you well on the tribunal. Would you agree with that statement?

Ms. Paula West Oreskovich: Yes, I do agree with that, because I do understand the unique challenges that we have up north, especially access to justice.

Mr. Kevin Holland: The last thing, just as we wrap up our time here with you: Is there anything that we haven't asked you that you think would be useful for us to know, about any other qualifications you think you have, anything that we haven't touched upon yet, any other statements you want to make to support your application for the position?
0950

The Chair (Mr. David Smith): One minute remaining, so you can wrap it up.

Ms. Paula West Oreskovich: Thank you for your question, and thank you for acknowledging the hard work that police officers do throughout Ontario.

I think my opening statement, without, again, being repetitive, highlighted all of my qualifications. It's hard to talk about myself. I'm learning this.

Mr. Kevin Holland: Yes, I appreciate that. It's probably the most difficult topic to talk about. I agree with you. When you get into this profession, they ask you to do it more often.

Thank you for your time. I appreciate it.

The Chair (Mr. David Smith): I will turn to the official opposition. MPP Glover.

Mr. Chris Glover: Ms. West Oreskovich, thank you for putting your name forward for the Landlord and Tenant Board. Let's see. We've heard about your expertise and your qualifications for this position. I've got a couple of other questions around this, as well.

The Landlord and Tenant Board—and you've been a representative on the board, is my understanding, from what I heard.

Ms. Paula West Oreskovich: I'm a dispute resolution officer.

Mr. Chris Glover: The Landlord and Tenant Board has been criticized for prioritizing eviction and above-guideline rent increases.

How do you feel about the current priorities set out by the Landlord and Tenant Board?

Ms. Paula West Oreskovich: I'm not aware that the board prioritizes that, so I can't really comment on that without knowing that's a fact.

Mr. Chris Glover: They're looking at the results of Landlord and Tenant Board hearings, and they're seeing a much larger and disproportionate number of evictions and above-guideline rent increases or judgments in favour of those.

The Landlord and Tenant Board is perhaps one of the highest-profile and backlogged tribunals in the province. A report from the Ontario Ombudsman in May 2023 started that the Landlord and Tenant Board was fundamentally failing to fulfill its mandate. The backlog of cases has grown up to 38,000, with hearings taking an average of seven to eight months to be scheduled, with some people even waiting up to two years to have their cases heard.

How would you say your background will specifically help relieve the backlog being experienced at the board currently?

Ms. Paula West Oreskovich: I acknowledge what you're saying, most definitely.

I think that, as far as my role as an adjudicator to run expeditious hearings, as far as helping with the backlog—those are decisions that will not be something that I will make as an adjudicator. But to conduct expeditious hearings—I can help in that matter.

Mr. Chris Glover: Do you own any rental properties yourself?

Ms. Paula West Oreskovich: Yes.

Mr. Chris Glover: How many?

Ms. Paula West Oreskovich: As far as what comes under the Residential Tenancies Act, two.

Mr. Chris Glover: How long have you owned them?

Ms. Paula West Oreskovich: Several years.

Mr. Chris Glover: Do you think that being a landlord will impact your ability to give impartial hearings at the Landlord and Tenant Board?

Ms. Paula West Oreskovich: No, not at all. I was also a renter a long time ago, many moons ago.

Again, as I've mentioned, impartiality is really at the forefront of what adjudicators do.

Mr. Chris Glover: The Landlord and Tenant Board has moved to a digital-first strategy, meaning that virtual hearings are the default hearing format, with in-person requests rarely being granted. Experts across the province have criticized this move due to the accessibility barriers it creates, especially for lower-income people who may not have regular access to the Internet.

What is your stance on whether this digital-first approach contributes to the ongoing backlog issues within the LTB?

Ms. Paula West Oreskovich: I believe that there's less than 1% of citizens who ask for an in-person hearing. And as far as granting an in-person hearing, that, again, will not be my decision. That's not my role at the board.

That being said, I do feel that it has actually increased access to justice, because if I think of Indigenous communities, if I think of northern Ontario communities, of them having to leave the communities to travel and to incur a lot of money to attend hearings—it's better doing it virtually. I'm not discounting that there are some issues, but I believe it has actually helped access to justice.

Mr. Chris Glover: For people who don't have access to the Internet or are not able to participate digitally—in your experience with the Landlord and Tenant Board, how has that played out? Is there a way to make sure that everybody is getting a fair hearing?

Ms. Paula West Oreskovich: Yes, there are now PAT, terminals that can be accessed. There are loaner phones. I believe we even have a top-up for minutes that can be utilized for someone who is requesting those services.

Mr. Chris Glover: How have those played out in the hearings that you've been part of so far?

Ms. Paula West Oreskovich: I recognize that when people are on the telephone—this is my personal experience—there is a little bit of delay and they can't see. However, I'm very mindful of that, so I always address it to the other parties, that this person is on the telephone and they cannot see what's happening, and I take the time to explain

that. I'm very patient in that regard—to make sure that everyone is understanding the process and everyone knows what's going on, basically.

Mr. Chris Glover: Are there other barriers that you've witnessed in your work with the Landlord and Tenant Board, and if so, how could they be remedied?

Ms. Paula West Oreskovich: Other barriers—I'm sure there are some barriers; I'm not discounting that there are some. And if there's any way that I can help in my role as an adjudicator, I absolutely will do that.

Mr. Chris Glover: Coming from northern Ontario—you mentioned Haileybury and Kapuskasing, and I believe you said that you've also worked with some of the remote communities, and that you're with Métis Nation yourself.

What barriers or what specific issues do you see coming to the Landlord and Tenant Board, in your experience so far, from Indigenous, Métis and other First Nation communities?

Ms. Paula West Oreskovich: Well, I think this is why the digital-first approach is working, because they now have access to it. They don't have to leave their communities. They can sit in the comfort of their own home and conduct the hearings at home. There are 29 fly-in reserves that—they've sent Internet Starlink out to these reserves to help for access to justice.

Mr. Chris Glover: Has that helped, in the experience that you've had?

Ms. Paula West Oreskovich: I've not had experience, personally, where someone has not been able to come online. I'm not saying that doesn't happen, but in my experience, that has not happened. Remember, when it's my time to mediate, they're already there online.

Mr. Chris Glover: I have some quick, uncomfortable but necessary questions that I'm required to ask. I'm in the official opposition, so we need to vet our candidates here.

Have you ever been a member of the provincial Conservative Party?

Ms. Paula West Oreskovich: Yes.

Mr. Chris Glover: Are you currently a member?

Ms. Paula West Oreskovich: Yes.

Mr. Chris Glover: Have you ever been a member of the Conservative Party federally?

Ms. Paula West Oreskovich: No. I don't believe so.

Mr. Chris Glover: Have you ever donated to the Progressive Conservative Party?

Ms. Paula West Oreskovich: No, except for the annual membership fee.

Mr. Chris Glover: Have you ever worked on a Conservative election campaign?

Ms. Paula West Oreskovich: No.

Mr. Chris Glover: Did anyone ask you to apply for this position?

Ms. Paula West Oreskovich: No.

Mr. Chris Glover: Thank you very much for putting your name forward. Those are all my questions.

The Chair (Mr. David Smith): That concludes the time. Thank you very much for your presentation.

We will now consider the intended appointment of Orlando Rosa, nominated as member of the Ontario Northland Transportation Commission.

MPP Harris.

Mr. Mike Harris: I move concurrence in the intended appointment of Orlando Rosa, nominated as member of the Ontario Northland Transportation Commission.

The Chair (Mr. David Smith): Concurrence in the appointment has been moved by MPP Harris. Any discussion? Are the members ready to vote? All those in favour? Carried.

We will now consider the intended appointment of Paula West Oreskovich, nominated as member of the Landlord and Tenant Board.

MPP Harris.

Mr. Mike Harris: I move concurrence in the intended appointment of Paula West Oreskovich, nominated as member of the Landlord and Tenant Board.

The Chair (Mr. David Smith): Any discussion? Are the members ready to vote? All those in favour? That is carried.

That concludes the business for today. This committee now stands adjourned.

The committee adjourned at 1002.

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