



**BY EMAIL**

Martina Chait-Hartwig, Clerk  
Township of Douro-Dummer  
894 South Street, P.O. Box 92  
Warsaw, Ontario, K0L 3A0

August 20, 2024

Dear Martina Chait-Hartwig:

**Re: Best practice suggestions**

As discussed on August 20, 2024, our Office has completed our review of a complaint by a property owner about the Township of Douro-Dummer's tax collection process.

We appreciate the assistance of Township staff over the course of our review. We also commend Township staff for working with the interested parties on a solution that ultimately allowed the property owner more time to settle the arrears and fees they owed and maintain ownership of their property.

We understand that the Township is undertaking a review of its tax collection procedures, which could result in the Township updating its Tax Collection Policy. Since being granted oversight of municipalities in 2016, the Ombudsman has reviewed thousands of complaints about municipalities across Ontario. Based on those reviews, we have identified best practices, including for municipal tax collection processes, that the Township may wish to consider as it moves forward.

**The Ombudsman's authority and role**

The Ontario Ombudsman is an independent and impartial Officer of the Ontario Legislature with the authority to review and investigate complaints about, among other things, the administration of public sector bodies, including municipalities such as the Township of Douro-Dummer.

Under the *Ombudsman Act*, the Ombudsman has broad discretion to decide whether to investigate a complaint or an issue. Wherever possible, the Ombudsman strives for proactive ombudsmanship, which may include offering constructive feedback in the form of best practices to help improve municipal processes, as well as strengthen local governance, transparency and accountability.



## **Information on best practices**

### *Notice to vacate*

Based on the information we reviewed, the Township does not have any by-laws, policies, or procedures regarding how much notice is to be provided to property owners to vacate in the event of a tax sale. While this is not required by the *Municipal Act*, our Office has reviewed cases where individuals faced potential homelessness following a tax sale of their property, and were unable to ascertain how much time they would have before being asked to vacate. This uncertainty is particularly challenging for vulnerable individuals who may need time to make other housing arrangements or access housing support services.

As a best practice, and as a matter of fairness, we encourage the Township to include guidelines in its Tax Collection Policy regarding providing property owners reasonable notice before they are required to vacate a property subject to a tax sale.

### *Information for property owners about housing and/or financial supports*

We have also reviewed cases where vulnerable individuals facing loss of their homes through municipal tax sales may have been able to pay arrears and stay in their homes with support, had they been referred to existing housing and social services.

We understand that the Township's current Tax Collection Policy does not set out any obligation to provide referrals for resources or supports such as emergency or alternative housing options, and this is not a legal obligation under the *Municipal Act*. However, as a matter of best practice, the Township should consider setting out guidelines in its Tax Collection Policy for staff to follow to ensure that any property owner subject to the registration of a tax arrears certificate and/or a tax sale process is given information about financial and housing supports. For example, the Township may consider referring individuals to the Housing Stability Fund available through the City of Peterborough Social Services Division, and/or providing information or referrals to supports such as emergency housing options, crisis centres, and other alternative housing, financial and mental health supports.

## **Conclusion**

We appreciate the time taken by Township staff to discuss this matter with our Office. We hope that these best practice suggestions will assist the Township as it reviews its policies and procedures.

When speaking with you, you told me the Township will include this letter as part of its next Council agenda. We kindly request that the Township reply to this letter with any plans to address our best practice suggestions.



If you require any additional information, you may contact me at 416-586-3342 or at [joleary@ombudsman.on.ca](mailto:joleary@ombudsman.on.ca).

Sincerely,

A handwritten signature in blue ink that reads 'John O'Leary'. The signature is written in a cursive style with a large, looped 'O'.

John O'Leary  
Investigator  
Office of the Ontario Ombudsman