

1. An application for a compliance audit must be received by the City Clerk within 90 days after the latest of,
 - the filing date under section 78 of the *Municipal Elections Act, 1996, as amended (the Act)*;
 - the candidate's supplementary filing date, if any, under section 78 of the *Act*;
 - the filing date for the final financial statement under section 79.1 of the *Act*; or
 - the date on which the candidate's extension, if any, under subsection 80(4) of the *Act* expires.
2. The applicant must be entitled to vote in a City of Toronto municipal election.
3. This application must be mailed or submitted in person to:
 - City Clerk's Office, City Hall, 1st Floor North, 100 Queen St. W., M5H 2N2
 - from Monday through Friday between 8:30 a.m. and 4:30 p.m.

Important: If an auditor's report finds that there is no apparent contravention to the *Act* and the committee finds that there are no reasonable grounds for this application Council is entitled to recover the auditor's costs from the applicant.

11 JUN 23 AM 10:48
 CITY OF TORONTO

RECEIVED
 CLERK'S DEPARTMENT

Applicant

Last Name Brook		First Name Roger	
Applicant's full qualifying address within municipality			
Address [REDACTED]			
Mailing Address, if different		Unit No.	City
E-mail Address [REDACTED]		Fax No.	
Business Phone No. [REDACTED]		Home Phone No. [REDACTED]	
I, Roger Brook			
the applicant mentioned in this application, declare that I am presently legally entitled to vote in a City of Toronto municipal election, that the above is my qualifying address.			
Signature of Applicant [REDACTED]		Date June 23rd, 2011	

Candidate Information and Reason for Audit Request

Last Name Bailaõ	First Name Ana	Nominated for the Office of: (check one) <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Councillor, Ward No.: 18
Your application must set out the reasons of your belief that this candidate contravened provisions of the <i>Municipal Elections Act, 1996</i> relating to his or her election campaign finances. Reasons may be stated here or attached to this application on a separate sheet.		
<p style="font-size: 1.2em; color: blue;">Reasons attached</p>		

For Office Use Only

Received by: Linh Dang	Date Received: June 23, 2011
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Personal information on this form is collected under the authority of the *City of Toronto Act (2006) s.137* and the *Municipal Elections Act (1996) s. 81* for the purpose of applying for a compliance audit of a candidate's election campaign finances. Pursuant to the *Municipal Elections Act (1996) s.88* this document is a public record, despite anything in the *Municipal Freedom of Information and Protection of Privacy Act (1990)*, and, until its destruction, may be inspected by any person at the City Clerk's Office at a time when the office is open. Questions about this collection can be directed to Elections Coordinator, 89 Northline Rd., Toronto, ON M4B 3G1, Telephone: 416-338-1111.

Issues with Councillor Ana Bailao's 2010 Election return & receipts

Submitted by Roger Brook,

540 Dovercourt Rd. #6

Toronto, ON M6H2W6

416 538-1285 or green22@sympatico.ca

Ward 18 resident, past volunteer on candidate Kevin Beaulieu's campaign and occasional contributor to Now Magazine

- 1) Twenty returned contributions
- 2) Contribution by way of below market rent (campaign office)
- 3) Miscategorizing election related expenses as fundraising
- 4) Use of past election signs not invoiced
- 5) Fourteen corporate donations (*Co-op* taxi drivers)
- 6) 3rd party corporate advertising (*Senso Magazine* drop)
- 7) 3rd party corporate donation (*Tower Storage* bar-b-q)
- 8) Missing receipt (*Faces Photonews*)

1) Returned contributions

Twenty contributions totaling \$13,500 were cashed and returned later at some point. This is many times more than all other councillors put together. Alan Menke's donation was legitimately returned by 2 campaigns for example because he had over-contributed but Bailao offers no reason.

Context: All of the donors were affiliated with companies in the real/ estate construction industry. During a live debate on Rogers TV local activist Scott Dobson asked all candidates to reveal the source of their campaign funding one week before the election and they agreed. He did this because he had previously found many real estate/ construction companies amongst in AB's 2003 returns which was a campaign issue. The money must have been returned before the list was released because the 20 embarrassing contributions didn't appear.

2) Corporate or individual donation by way of below market rent

Campaign office rental. Receipts show rent to Michael Michielli for \$1000 for 6 weeks and \$1000 for one month for 2 months rent. The same landlord has advertised the same ground-floor unit at 1486 Dundas W for rent at \$1600 'plus' in May 2010 and since. <http://toronto.en.craigslist.ca/tor/apa/2394410521.html> Currently \$1800 a month through Metro Realty

http://www.metcomrealty.com/pdfs/1486_Dundas_St_W_-_Dec-9_2010.pdf

The lease agreement is informal and contains no detail. Phone service begins on Aug. 16, while internet starts on August 1, 2010. The first 6-week rental agreement begins on Aug. 15. There were election signs in the window prior to August.

Mike Michielli's \$750 donation to Bailao was returned while his wife Michelle's \$750 donation was accepted. Mike appears to work with an unnamed major construction company and also owns *Mike of Italy* on Dufferin.

<http://do.anuncioo.com/jobs/offering/home-help/distrito-nacional/santo-domingo/construction-engineer-or-civil-engineer-wanted-2393505>

3) Incorrectly miscategorizing election expenses as fundraising expenses.

The election spending limit was 28,747.30 while Ana raised \$62,217.03. She used up almost all of the limited election spending.

AB listed no election salaries. Yet she did pay a \$2440 fundraising salary to *twentyfourteen communications and consulting*, which is located at 801-1223 King St. It's the same condo unit as AB's f/t campaign manager, Deyan Kostovski, the firm's owner. He describes himself as an ethnic media specialist in public relations & consulting and has since been hired as AB's assistant.

<http://ca.linkedin.com/pub/deyan-kostovski/1a/161/472>

Similarly, just before the campaign office opened *Main Street technologies* submitted an invoice for "fundraising software," and yet the company's software section only describes software related to elections and not fundraising.

<http://mainstreettechnologies.ca/software.html>

The July "fundraiser bbq" catered by *Europa* on Dundas St with \$7919 in food was well advertised and split 40% fundraising and 60% promotional including t-

shirts and fridge magnets that were purchased in April worn by volunteers throughout the campaign and yet attributed to the fundraising event. Due to the way expenses were allocated the second fundraiser lost money.

4) Use of signs from 2003 campaign not invoiced.

The campaign began using signs saved from 2003 campaign (have pictures) and the AB team tweeted that they had run out of signs and would have to use the old ones.

5) I have spoken with six of AB's donors listed together between fundraiser 1 and 2 who turned out to be taxi drivers working for *Co-op Taxi Associates*.

Issue 1. Company pressuring employees to donate their money on behalf of the company

14 AB Donors	Amount	Address	Postal Code	#
1 Muhumed Mohamed #3	\$300	75 Emmet Ave #605, TO,	416 458-8843	
2 Rodolfo Valverde #2	\$300	43 Derwyn Road, EY	M4J4N1	
3 Abukar Osman #5	\$300	174 Jamestown Cres, Etob	M9V3M5	
4 Hussein Ali	\$300	720 Trethewey Dr #801 NY	M6M5A5	
5 Abdi Ali Hassan	\$300	67 Antelope Dr, Scar.	M1B6K5	
6 Mohamed Saleh Abdalla #5	\$300	3453 Sunlight St, Miss.	L5M7M8	
7 Gebreamlak Beyene #1	\$300	40 Guestville Ave, TO	M6N4N2	
8 Saladhin E Yonis	\$300	32 Taverner Cres, Ajax	L1T5A3	
9 Abtidon Abdirahim Mohamoud #4	\$300	1050 Broadview #202, 416-841-9483		
10 Ahmed Ayan	\$300	22 Castlemore Blvd, Bramp	L6P2L3	
11 Noorallah Shahseed #6	\$300	10 Camden Dr, Concord	416-569-7797	
12 Alemseged Tesfai Fassil	\$300	400 McCowan Rd #808, Scar	M1J1J5	
13 Rajai Rebhi Yousef Natsheh	\$200	2 Pilkington Dr, Scar	M1L0B7	
14 Yusuf Yusuf	\$200	5 Bellevue Cres #402, TO	M9N1G5	

I decided to visit a group of 14 donations, almost all of which were for \$300 adding up to \$4000 because I could not use google to find what company or practice they belonged to.

After speaking to the first person and finding out that he did it "through the company", I bought a recorder and went to visit the others, finding out one by one that they drove cabs for *Co-op* and didn't seem to be familiar with AB or her policies (except M.M. #3 whose statement is contradicted by evidence). The others say they said they were asked by manager Abdul-Kadir Mohmoud to write a check for \$300 to Councillor Bailao for the company. Some said they also gave to the mayor but I couldn't find it (>\$100?)

Everyone on *Co-op's* Board along with the manager & president including others living at those addresses gave large sums to many candidates, although nothing to AB.

1 Peter Zahakos, Pres. 26 Rothsay Rd Thornhill 905 709-0758

2 Eileen (M Renner) Zahakos 26 Rothsay Rd Thornhill

3 Abdul-Kadir Mohmoud (Mahamud) Mgr. 84 Tawnberry Circle Brampton

(8-530 The West Mall Etob)
4 Zahra Tifow 84 Tawnberry Circle Brampton
5 Sam (Shemuel) Bitterman, Board Chair 136 Huntington Park Dr, Thornhill
6 Chava (Hava) Bitterman 136 Huntington Park Dr Thornhill
7 Joseph (Joe) Tripodi, Board mbr. 33 Playfair Ave TO
8 Margaret Tripodi 33 Playfair Ave. TO
9 Manuel (Da Silva) Reis, Board mbr. 27 Oak St Georgetown
10 Lidia (Bragga) Reis 27 Oak St Georgetown
11 Pitipanage Fernando, Board mbr. 6 Grandlea Cres. Markham (905) 472-9982
12 Geetha Fernando 6 Grandlea Cres. Markham
13 Francisco Ramos, Board mbr. 3501 Glen Erin Dr. (suite ?) Miss L5L2E9
14 Lawson (Larry) Huang, Board mbr. 10 Wycombe Rd Apt 112, TO
416-630-9920

Their contributions total \$35,550

1 (PZ) M Augimeri \$150, N. Kelly \$150, G DeBaermaeker \$200, M Thompson \$250, J Pantalone \$250, D. Minnan-Wong \$250, P. Ainslie \$300, P. Milczyn \$300, K. Stinz \$300, M. Grimes \$450, D. Shiner \$500, Mammoliti \$1,250
2 (EZ) M Augimeri \$150, N. Kelly \$150, G DeBaermaeker \$200, M Thompson \$250, P. Ainslie \$300, P. Milczyn \$300, K. Stinz \$300, M. Grimes \$450, D. Shiner \$500, Mammoliti \$1,250
3 (AM) M. Augimeri \$150, N. Kelly \$150, G. DeBaermaeker \$150, S. Hall \$200, M. Thompson \$250, A. Heaps \$250, D. Minnan-Wong \$250, P. Ainslie \$300, A. Peruzza \$300, P. Milczyn \$300, K. Stinz \$300, M. Grimes \$450, J. Pantalone \$500
4 (ZT) N. Kelly \$150, G. DeBaermaeker \$150, S. Hall \$200, J. Pantalone \$250, A. Heaps \$250, D. Minnan-Wong \$250, P. Ainslie \$300, A. Peruzza \$300, P. Milczyn \$300, K. Stinz \$300, M. Grimes \$450
5 (SB) N. Kelly \$150, S. Hall \$200, A. Heaps \$250, S. Thompson \$250, A. Peruzza \$300, F. Di Giorgio \$300, C. Palacio \$300, R. Ford \$300, D. Ford \$300
6 (CB) N. Kelly \$150, S. Hall \$200, A. Heaps \$250, S. Thompson \$250, A. Peruzza \$300, F. Di Giorgio \$300, C. Palacio \$300, P. Milczyn \$300
7 (JT) N. Kelly \$150, J. Pantalone \$250, M. Bernardinetti \$300, D. Mohamed \$300, R. Ford \$300, P. Milczyn \$300, M. Grimes \$450
8 (MT) N. Kelly \$150, M. Bernardinetti \$300, D. Mohamed \$300, R. Ford \$300, P. Milczyn \$300, A. Peruzza \$350, M. Grimes \$450
9 (MR) N. Kelly \$150, S. Hall \$200, A. Heaps \$250, D. Mohamed \$300, F. DiGiorgio \$300, P. Milczyn \$300, D. Ford \$300, C. Palacio \$300, M. Grimes \$450
10(LR) N. Kelly \$150, D. Mohamed \$300, A. Heaps \$250, F. DiGiorgio \$300, P. Milczyn \$300, A. Peruzza \$300, R. Ford \$300, C. Palacio \$300, M. Grimes \$450
11(PF) N. Kelly \$150, A. Heaps \$250, S. Thompson \$250, R. Ford \$300, P. Milczyn \$300, A. Peruzza \$300, C. Palacio \$300, F DiGiorgio \$300, V. Crisanti \$300
12 (GF) N. Kelly \$150, A. Heaps \$250, S. Thompson \$250, D. Ford \$300, P. Milczyn \$300, A. Peruzza \$300, C. Palacio \$300

13 (FR) N. Kelly \$150, S. Thompson \$250, D. Mohamed \$300, P. Milczyn \$300, A. Peruzza \$300, F. Nunziata \$300

14(LH) N. Kelly \$150, S. hall \$200, D. Mohamed \$300, P. Milczyn \$300, A. Peruzza \$300

Interestingly contributors gave exactly the same amount to various Councillors or Mayoral candidates. For example all 14 donations to Peter Milczyn were \$300 etc..

I also interviewed board members. *Co-op* Board member Joe Tripodi, said they met together informally to decide who to donate to (board, pres. & mgr). Board member Larry Huang told me "it (meeting) was called by me." "We sort of agreed how we would donate." "300 that sounds like a nice number." "Abdul he talked about how he got his donations in." "Yes of course they're doing it for the company." (RB: and you as well?) "Sure, everyone has issues that are important to you". "We know the politicians who are on our side."

Co-op has also been the main company lobbying on the issue using *Sussex Strategy Group* with Jamie Besner & Kim Wright meeting with councillors over the past two years. Tweets by Sussex associate Henry Boyd and wife Nicole Boyd indicate that they volunteered on AB's campaign. Henry Boyd says Bailao is a friend that he met through another friend while his wife worked at Globestar where AB worked. He said "I think the person in my office who did throw a fundraiser to support her (AB) is a (*Sussex*) consultant by the name of Jamie Besner."

Besner said neither he nor *Co-op* organized any fundraisers, however he says *Co-op* asked its employees to donate. Besner can't remember if he attended any fundraiser for Bailao because he attended so many. I left a message for Boyd describing colleague Besner's differing characterization, and asked him to call me back if he wanted to change what he said, but he hasn't called back.

Interestingly the \$4000 in checks is greater than the average profit from AB's 3 fundraisers.

Manager Abdul-Kadir did not respond. Pres. Peter Zahakos is a long time major donor who has run for Metro Councillor multiple times including in Davenport in 1991.

4) Company resources helped (advertise) candidate (*Senso* drop)

During the election I was volunteering in the office of candidate Kevin Beaulieu when Portuguese magazines were being brought in by his supporters with what looked like election material for AB. The 100-page full colour magazine, *Senso*, (with AB's face on the cover and an interview with her, full of election signs and parts of the candidate brochure). The magazine had never been delivered before door to door in the ward (or apparently elsewhere.)

<http://www.nowtoronto.com/news/story.cfm?content=177246>

The magazine's owner and chief editor is Jack Prazeres, who is the co-owner of *Trican masonry* (*Trican stucco* etc..) which had previously (2003) donated the max to AB along with co-owner Avelino Fonseca. *Trican* is a long time major campaign donor.

AB hired design team *Creative 7 (C-7)* to design flyers, website etc. C-7 is owned by Ana Fernandes-Iria & Jamie Iria. Ana F-Iria is also *Senso's* news editor and she conducted the interview with Bailao. The two companies are located in the same office and there was a blurring between the two with regard to *Senso's* website, then called *PTvirtual* run by J Iria who also works for *Senso*. *Senso's* website published an article that praised the candidate that Bailao's volunteer staff says was authored by AB.

Neither Prazeres nor Ana Iria or her husband would agree to answer any questions. It would be interesting to learn what the relationship between *Senso* & C-7 is, and who decided to distribute the AB issue (at great cost) in highly Portuguese parts of Ward 18 in the middle of the election campaign. AB said it had always been something that *Senso* had wanted to do, (however the costly door-to-door drop has not been repeated since).

Both Prazeres and Fonseca again donated but AB returned the money, perhaps after the Now article was published.

Creative 7 also worked on councillor Chris Fonseca's winning campaign

<http://sandpatel.com/category/design/>

Chris is Avelino Fonseca's son's (former MPP Peter Fonseca) wife.

Daughter Nancy Fonseca is running to replace Peter Fonseca as MPP

http://www.facebook.com/NFonsecaCampaign?sk=app_4949752878

Fonseca political family in Mississauga

<http://www.mississauga.com/news/article/971599--spudder>

Avelino F. was former MP Mario Silva's Chief Financial Officer in last campaign.

I have never seen *Senso* locally in a Portuguese bakery/ café or other shops but it is available at *Casa Dos Acores* banquet hall. Considering the cost of election material, the one-off decision to distribute this supposedly neutral magazine door to door during the campaign was at least as helpful as campaign material and appears to be a brazen attempt to skirt corporate campaign spending limits.

7) Partisan campaign event paid for by corporate 3rd party.

During the campaign *Tower Storage* held a neighbourhood bar-be-que with free food and featured speaker candidate Ana Bailao during the election campaign. which attracted many people as it was advertised on flyers around the neighbourhood.

I called Tower Storage, and a man who would not identify himself admitted that he only invited candidate Ana Bailao, but said it was just an event to welcome the storage depot to the neighbourhood. Candidate Ana Bailao said it was ok because she did not put up any campaign signs. She said she knew who owned

the company but couldn't remember their names. The storage company was added to a building by Bilnia Investments Ltd that owns most of the block including 80 Ward st. 24 Ward St. 258 Wallace St. <http://bilnia.com/>
<http://www.dailycommercialnews.com/csp/102585>

William (Bill) Weiner, the President of visioneering inc. 35 Oak St, gave \$750 to AB but it was returned later.

http://www.viscor.com/PC/English/en_presidents-message.htm

35 Oak is headquarters of Bilnia Investments (24, 80 Ward, 258 Wallace)

Bilnia is being sued by the TTC for a pollution plume emanating from Bilnia's former GE polluted site that is affecting the former Lansdowne TTC shed. Rezoning from the current Employment lands category would substantially raise land values. While the corporate 3rd party donation should be included whether it is Tower Storage or turns out to be a company associated with *Bilnia/Visioneering* (Bill Weiner), knowing the source would add a level of transparency should rezonings be announced.

8) Missing receipt (Faces photonews)

Didn't find receipt for full page add plus mini-cover add for AB.

Faces PhotoNews Magazine, September 2010

Sonia Ribeiro, 3019 Dufferin St. Toronto, 416 270-9296

1486 Dundas St. West, Toronto

RETAIL SPACE FOR LEASE

- Location:** Dundas St. W./Dufferin St.
- Available:** 1,000 SF (Approx.)
- Semi-Gross Rent:** \$1,800/Month
- Term:** 3 – 5 years
- Possession:** Immediate
- Notes:**
- High Traffic Area
 - Commercial/Retail or Live/Work Use
 - Variety of uses Considered.
 - TTC at Your door.



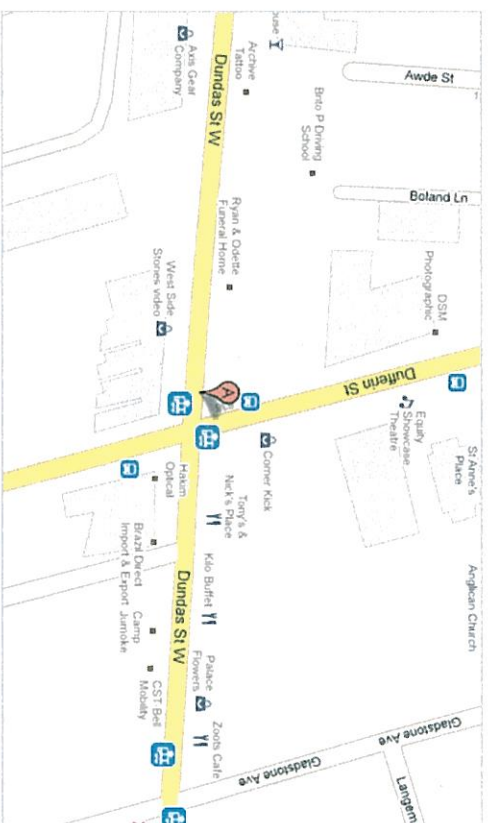
For further information please contact:

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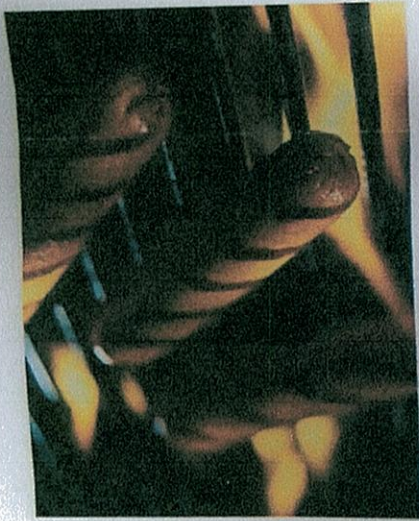
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TOWER STORAGE



Tower Storage invites you...

Please join us Saturday, September 11th 2010 at
Tower Storage for a Neighbourhood BBQ from
12pm to 2pm!

Complimentary Hotdogs & Refreshments

We are located at 224 Wallace Ave (Lansdowne &
Wallace) in the Junction neighbourhood of
Toronto.

Invited guest, Ana Bailao, candidate for Toronto
City Council, Ward 18.

We look forward to seeing you there!

For further details call us @ 416-538-5858 or
email info@towerstorage.ca