

## NOTICE OF APPEAL OF LEVENTE LASZLO AND CHRISTINE CURRAN

1. This Notice of Appeal is further to the issuance of the Dangerous Dog Order by Officer Julia Guerrieri ("GUERRIERI") on behalf of Toronto Animal Services ("TAS") on March 13, 2021, bearing reference number 21-007923 (the "Order"). Attached as Exhibit #1 is the Order.
2. This Notice of Appeal is being filed in accordance with Subsection 16(A) of Toronto Municipal Code, Chapter 349, Animals ("Dog By-Law").
3. The content of this Notice of Appeal is pursuant to Subsection 16 of the Dog By-Law.
4. This Notice of Appeal contains *preliminary* reasons for appeal. The reasons for appeal contained herein are non-exhaustive as the City of Toronto/TAS has not provided disclosure despite requests for same.
5. The appellants respectfully reserve all rights to supplement this Notice of Appeal with further written submissions and materials subsequent to receipt of *all* disclosure from TAS, and before a Hearing is scheduled.
6. The Order was issued to Levente Laszlo ("LASZLO") in respect to Wilbur, a 3 year old Plotthound mixed breed dog ("WILBUR"), owned by LASZLO and Christine Curran ("CURRAN").

7. LASZLO and CURRAN adopted Wilbur from Niagara Dog Rescue. On August 1, 2019, a microchip was implanted in Wilbur. His microchip identification is as follows: 982126055132350. Attached as Exhibit #2 is the microchip identification documentation.
8. LASZLO and CURRAN obtained a dog licence for Wilbur, and continue to do so on an annual basis as per the Dog By-Law. Wilbur's Toronto Tag ID is 588.
9. CURRAN and LASZLO currently reside in Toronto, Ontario with their three children. LASZLO is an officer with the Royal Canadian Mounted Police and CURRAN is a psychologist.
10. Despite the issuance of the Order, GUERRIERI and TAS have failed to provide evidence to connect WILBUR to any purported dangerous act, including a bite, attack, and/or menacing behaviour. The Order issued by GUERRIERI was not accompanied by any supporting documentation or materials whatsoever other than a grainy video from an unknown neighbour depicting an unidentified person and an unidentified dog.
11. The primary reason for this appeal is that the decision of TAS to issue the Order to WILBUR is unreasonable in the circumstances and is unnecessary to "promote public safety and to protect the wellbeing of animals and members of the public" (Section 18.1, Dog By-Law).

12. GUERRIERI and TAS acted unreasonably and in haste in issuing the Order before a Warning was ever even issued, contrary to Clause 15(B)(1) of the Dog By-Law.

13. TAS and GUERRIERI have failed to take heed to the numerous requests for all communications in respect to WILBUR to be directed to legal counsel. GUERRIERI continues to contact LASZLO and CURRAN directly and has a flagrant disregard for the appellants' right to counsel. Even after legal counsel expressly requested all communications to be directed to counsel, on March 13, 2021, GUERRIERI attended at the appellants' property, interrupted CURRAN during working hours, and notwithstanding CURRAN informing GUERRIERI that she was in the midst of a session with a patient, intimidated CURRAN into meeting with her immediately.

14. On March 19, 2021, GUERRIERI notified legal counsel on behalf of the appellant that "the investigation is completed and the file has been closed".

15. Despite this, after legal counsel on behalf of the appellants requested the Order to be rescinded given the file closure, GUERRIERI indicated that TAS is still pursuing the Dangerous Dog designation.

16. While LASZLO and CURRAN are vehemently opposed to the designation of WILBUR as a "dangerous dog", they have strictly adhered to all of the conditions of the Order in accordance with Subsection 15.1(A) of the Dog By-Law, which conditions are unfair in the circumstances.

17. On April 1, 2021, LASZLO and CURRAN satisfied the TAS compliance check. Attached as Exhibit #3 is correspondence with GUERRIERI and TAS, dated March 31 and April 1, 2021.

18. LASZLO and CURRAN take pet ownership very seriously.

19. LASZLO and CURRAN retained expert dog trainers Leonard Heafey ("HEAFEY") and Rebecca Quinn ("QUINN") of Honorbound Kennels ("HONORBOUND") to perform an extensive assessment of WILBUR. On March 21, 2021, WILBUR was the subject of a 3-hour assessment performed by HONORBOUND, which included evaluating the behaviour of WILBUR in connection with noise sensitivity, environmental sensitivity, food/resource guarding or aggression, civil aggression, animal aggression, tactile touch/mock vet physical, aggression towards males and females, and prior training. HONORBOUND also prepared a comprehensive Report in respect to its assessment of WILBUR on March 25, 2021. The assessment buttresses this appeal as HEAFEY and QUINN, who each possess extensive experience in canine training and assessments, concluded that WILBUR "showed no outward aggression or adverse reactions to any form of our testing". Further, the overall opinion of HEAFEY and QUINN was that WILBUR:

has a very sound temperament...there were no situations where the dog decided to lash out and use his teeth or do anything that would be perceived aggressive. If anything this dog resorted to a flight response.

Attached as Exhibit #4 is the HONORBOUND Assessment Report, dated March 25, 2021, along with the credentials of HEAFEY and QUINN.

20. On March 21, 2021, LASZLO and CURRAN enrolled WILBUR in a 10-week private obedience training program with HONORBOUND.

21. On March 28, 2021, WILBUR attended his first training session.

22. LASZLO and CURRAN obtained numerous objective accounts attesting to WILBUR's gentle disposition. The consistent sentiment in all of the reference letters is that WILBUR is neither an aggressive nor a menacing dog.

23. Neighbour Karen Sexton described her general inclination to be dubious and skeptical of dogs. However, Ms. Sexton indicated the following about WILBUR: "I would not be writing on behalf of his owners if I did not feel they were vigilant dog owners...as a nervous person around dogs I have never once felt threatened by Wilbur and quite enjoy being in his presence". Attached as Exhibit #5 is the Karen Sexton letter, dated March 23, 2021.

24. Next door neighbour Anne-Marie Laderoute attested to her positive interactions with WILBUR including that she has "not witnessed or personally experienced any instances of aggression from him...he plays well in the backyard, walks happily with all members of the family". Further, Ms. Laderoute indicated that "this is a neighbourhood full of dogs of all shapes, sizes, and dispositions". This statement is particularly important given the gratuitous reliance upon a video of an unidentified dog that TAS has unfairly deemed to be WILBUR. Attached as Exhibit #6 is the Anne-Marie Laderoute letter, dated April 2, 2021.

25. Next door neighbour John Cuthbert stated that he has no issue with WILBUR “on our lawn or the shared space in between...and [he is] always welcome”. Attached as Exhibit #7 is the John Cuthbert letter, dated April 5, 2021.
26. Neighbours Dusan and Radmila Guzina prepared a letter in support of this Appeal “without hesitation”. Mr. and Mrs. Guzina described their familiarity with WILBUR since he joined the LASZLO and CURRAN household: “Wilbur is a welcomed addition to our community. Wilbur is a friendly and playful dog who does not disturb the neighbours... Wilbur is a well behaved and approachable dog”. Attached as Exhibit #8 is the Dusan and Radmila Guzina letter, dated April 5, 2021.
27. Neighbour Jennifer Payette attested to the absence of an aggressive disposition on the part of WILBUR further to her numerous visits to the appellants’ property. Ms. Payette made reference to “the two dogs...three children, a cat, and a rabbit residing, proof that the dog in question is clearly well behaved and mannered”. Attached as Exhibit #9 is the Jennifer Payette letter, dated April 5, 2021.
28. Family friend Mirela Teodor characterized WILBUR as “a sweet dog, very friendly and always very playful. Never found him to be aggressive, never observed him to have any issues, behavioural or otherwise”. Attached as Exhibit #10 is the Mirela Teodor letter, dated April 6, 2021.

29. CURRAN's family has employed the services of the same veterinary clinic, namely D.V. Warren & Associates, for approximately forty years. WILBUR is a patient at the veterinary clinic. Dr. Jankovics stated, among other things, that WILBUR "has never shown any signs of aggression towards our staff or other people/pets in our clinic; he has always shown a lovely demeanor". Attached as Exhibit #11 is the Dr. Jankovics letter, dated March 17, 2021.

30. Legal counsel on behalf of LASZLO and CURRAN invited GUERRIERI/TAS to schedule a resolution meeting. The appellants' request to resolve this matter has been ignored.

31. LASZLO and CURRAN respectfully request the Executive Director/Dangerous Dog Review Tribunal "to rescind the determination of a dangerous dog and exempt" LASZLO and CURRAN from compliance with the conditions contained in the Order. Failing to rescind WILBUR's dangerous dog designation does not further the public interest and would be inconsistent with the purpose and intent of the Dog By-Law.

All of which is respectfully submitted this 11<sup>th</sup> day of April, 2021



Jennifer Friedman  
CANADA'S ANIMAL LAWYER

416-460-6962  
animal-lawyer@outlook.com

Counsel for the Appellant,  
Levente Laszlo and Christine Curran