



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Summary of Legal Disputes - 2023 Third Quarter Update

Date: August 23, 2023

To: Audit and Risk Management Committee of the Board of Directors of Toronto
Parking Authority

From: President, Toronto Parking Authority

Wards: All

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects Toronto Parking Authority (TPA) and contains advice or communications that are subject to solicitor-client privilege.

SUMMARY

As part of TPA's operation of commercial parking, the management of tenanted properties and Bike Share Toronto, TPA is dealing with a range of legal matters related to supplier disputes, personal injuries, commercial tenancy disputes and the protection of TPA's registered trademarks. TPA has suitable insurance in relation to such concerns, such as general liability insurance for all of its facilities; and has assigned/retained legal counsel and insurance adjusters to manage any claims.

Details about the specific legal disputes are included in Confidential Attachment 1.

This report is a reoccurring update provided to the Board about the status of ongoing legal disputes. The Board will be provided updates on a regular basis as substantive changes occur to the status of the specific legal disputes.

RECOMMENDATIONS

The President, Toronto Parking Authority recommends that:

1. Toronto Parking Authority Board of Directors receive this report for informative purposes only.
2. Toronto Parking Authority Board of Directors direct that the confidential information contained in Confidential Attachment 1 remain confidential in its entirety, as it contains advice about litigation or potential litigation that affects Toronto Parking Authority and contains advice or communications that are subject to solicitor-client privilege.

FINANCIAL IMPACT

Further details about the financial impacts of the legal disputes can be found in Confidential Attachment 1.

DECISION HISTORY

At its meeting of April 21, 2023, TPA Board of Directors received a First Quarter, 2023 update about the status of legal disputes involving TPA.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PA3.5>

At its meeting of February 18, 2021, City Council adopted Item EX21.2, which authorized the Controller, Finance and Treasury Services, in consultation with the Executive Director, Corporate Real Estate Management, to forgive and write off any unrecoverable deferred rent, following an unrecoverable debt analysis within the City's existing protocols for assessing bad debt, in respect of periods during which municipal tenants were ineligible for Federal corporate rent relief programming and provided that the tenant or licensee has supplied sufficient evidence, satisfactory to the Director, Property Management, Corporate Real Estate Management, to validate the level of revenue loss incurred as a result of the COVID-19 pandemic in each period for which rent relief has been requested.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.EX21.2>

COMMENTS

Confidential Attachment 1 includes a summary of the specific legal disputes that TPA is currently managing.

CONTACT

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SIGNATURE

W. Scott Collier, President
Toronto Parking Authority

ATTACHMENTS

Confidential Attachment 1 – Summary of TPA Legal Disputes