

Administrative Penalty System – 2023 Activity

Date: May 10, 2024

To: General Government Committee

From: Interim Controller, City Solicitor and Director, Court Services

Wards: All

SUMMARY

This report provides information on the total number and type of parking violation notices (PVNs) issued in 2023 under the City's Administrative Penalty System (APS). APS program outcomes are also provided, including the number of disputes, cancellations, penalty variances and collection rates. The benefits of APS include faster dispute resolution timelines, improved accessibility and customer experience through online service, and a significant reduction in drive-away ticket cancellations.

This report is being submitted to the General Government Committee together with a report from Toronto Police Service: "Annual Report – 2023 Parking Enforcement Unit Estimated Tag Issuance Report," which identifies enforcement related activity for 2023. In 2013, the Government Management Committee, during consideration of [Item GM21.6](#) requested that these reports be submitted at the same time.

RECOMMENDATIONS

The Interim Controller, City Solicitor, and Director of Court Services recommend that:

1. The General Government Committee receive this report for information.

FINANCIAL IMPACT

For the 2023 fiscal year, the number of parking violations issued of 2,256,425 exceeded the estimated number of 1.9 million, which reflected assumptions due to impacts of post COVID-19. The increase in issuance from the original forecasted number resulted in \$113.4 million of revenues collected from parking violations (\$121.7 million including year-end accruals as of December 31, 2023), as compared to 2023 budgeted amount of \$93.3 million.

The recommendations contained in this report would have no financial implications on the current budget year or future years.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

On May 30, 2023, the General Government Committee adopted Item [GG4.3 Administrative Penalty System – 2022 Activity](#). That report provided information on the total number and type of parking violation notices issued through the City's Administrative Penalty System in 2022, including cancellation activity, dispute requests, and collection rates.

COMMENTS

Issue Background

The Toronto Police Service (TPS), through its Parking Enforcement Unit, is responsible for parking enforcement and enforcement practices. The TPS issued the majority of the City's Parking Violation Notices (PVNs) in 2023. The balance of PVNs, or approximately 14.13% of all 2023 PVNs, were issued by trained Municipal Law Enforcement Officers (MLEOs).

MLEOs are independent private agencies whose staff are trained and certified by the TPS to issue PVNs on private or municipal property throughout the City of Toronto. MLEO agencies are required to obtain a license from the City's Municipal Licensing and Standards Division in order to operate in the city. Some of the City's agencies, such as the TTC and Toronto Parking Authority, employ MLEOs to enforce off-street parking in their respective areas. Currently, there are approximately 2,500 MLEOs working for 115 different agencies.

Three City divisions are involved in the administration of the APS. Revenue Services is responsible for processing and collecting administrative penalties issued in the City of Toronto. Legal Services is responsible for managing the screening review dispute resolution process, including the cancellation, variance, or affirmation of administrative penalties. Court Services is responsible for providing administrative support to the Administrative Penalty Tribunal (APT). The APT is an independent adjudicative body appointed by City Council with the authority to affirm, vary or cancel the decision of a screening officer and/or to extend the time for payment.

2023 Activity

In 2023, the City of Toronto issued 2,256,425 parking violation notices. The Toronto Police Service's Parking Enforcement Unit issued 1,935,517 PVNs, 318,820 PVNs were issued by Municipal Law Enforcement Officers (MLEOs) and 2,088 PVNs were issued by Police Officers.

Table 1 below compares the number of PVNs issued in 2023 with the total number of PVNs issued in 2022. These statistics are broken down by the type of issuing officer/unit.

Table 1: Issuance of Parking Violation Notices (PVNs) – 2022 vs. 2023

	2022 PVNs	2023 PVNs	Approximate Increase / (Decrease)
Toronto Police Services: Parking Enforcement Officers	1,553,313	1,935,517	24.61%
Toronto Police Services: Police Officers / Cadets	11,945	2,088	(85.52%)
Subtotal: Toronto Police Services	1,565,258	1,937,605	23.79%
Municipal Law Enforcement Officers (MLEO's)	256,080	318,820	24.50%
TOTAL	1,821,338	2,256,425	23.89%

The changes in Police Officer Issuance relate to those Parking Enforcement Officers who became Police Officers but retained the same badge number(s).

In 2023, the number of PVNs issued is more than the number issued in 2022 by approximately 23.89%, representing an increase of 435,087. This increase is believed to be attributed to the return of routine enforcement of parking regulations to uphold public safety and an increase in the volume of vehicles on the roads post pandemic.

PVN Issuance by Parking By-law Category

Attachment 1 provides a detailed breakdown of PVNs issued in 2023 by parking by-law category. 2023 totals by category are compared to PVNs issued in 2022.

In 2023, the largest single parking by-law violation category was "Private Property" (i.e. violations related to parking contrary to the parking rules on private properties), consistent with prior years. This category represented 434,988 PVNs issued in 2023 compared to 377,293 PVNs in 2022 (i.e. an increase of 57,695 or 15.29%). The "Private Property" category represented 19.28% of all PVNs issued in 2023, compared to 20.72% in 2022. 2023 experienced a significant increase in issuance over 2022 due to the return of routine enforcement post COVID-19 pandemic.

The next highest parking by-law violation category was "No Parking" (i.e. violations related to parking contrary to the parking rules at a given time and place). In 2023, 378,268 PVNs were issued in this category compared to 311,879 PVNs in 2022. This represented an increase in issuance of PVNs of 66,389 or 21.29%. Again, PVNs issued 2023 saw significant increase over 2022 due to the return of routine enforcement of parking regulations post COVID-19 pandemic and an increase in the volume of vehicles on the roads.

Collection Activity for PVNs Issued in 2023 and Prior Years

Attachment 2 provides information on PVNs issued each year from 2013 to 2023. It also shows the number of PVNs that have been paid as of December 31, 2023.

Based on analysis of prior years' collections experience, staff project a long-term average collection rate of approximately 83% for all 2023 tickets issued. The collection rate on PVNs which are deemed collectible (i.e. excluding those cancelled) is estimated at 99%. Attachment 2 outlines the collection rate(s) for PVNs issued in 2023 and paid as of December 31, 2023. The details show that approximately 62.45% of PVNs issued in 2023 were paid in 2023. However, given that PVN recipients will continue to pay 2023 PVNs in 2024 and later years (when renewing their vehicle license plates at the Ministry of Transportation), or following disputes, the final collection rate is expected to approach approximately 83% (or 99% when excluding cancelled PVNs).

APS 2023 Program Outcomes – Cancellations, Variances, and Affirmations

Under the City's APS, City-employed screening officers review PVNs at the recipient's request. Screening officers decide whether to cancel, vary, or affirm the administrative penalty based on the merits of the case and any evidence presented. If the disputer is not satisfied with the decision of a screening officer, they may request a review of that decision before an Administrative Penalty Tribunal (APT) hearing officer. This final review (referred to as a hearing review) is conducted by an independent hearing officer at the APT. Table 2 below provides the total number of PVNs issued and reviewed in 2023, table 3 outlines the screening office outcomes for PVNs issued in 2023 and table 4 outlines the administrative outcomes for the PVNs issued in 2023.

Table 2: Total Number of PVNs Issued & Screening Reviews Requested in 2023

2023 PVN Issuance	2,256,425	
Screening Review Type	Totals	% of 2023 PVNs
Screening Reviews Requested: Online	283,034	12.54%
Screening Reviews Requested: In-Person	40,944	1.81%

Table 3: Screening Office Outcomes – PVNs Issued in 2023

Screening Office Outcome Type	Outcomes	
	Totals	% of 2023 PVNs
Screening Decision – Cancellation	53,136	2.35%
Screening Decision – Variance	24,540	1.09%
Screening Decision – Affirmation	113,610	5.03%
Screening Decision – Paid Prior to Screening	13,134	0.58%

A number of Screenings remain outstanding related to those customers who requested a Screening late in 2023 but have not yet had their file reviewed.

Table 4: Administrative Outcomes – PVNs Issued in 2023

Administrative Cancellations	Outcomes	
	Totals	% of 2023 PVNs
Parking Tag Operations – Cancellations	32,708	1.45%
Cancelled due to plate errors – plate does not exist, plate is unattached	16,993	0.75%

Table 5 below outlines Administrative Penalty Tribunal (APT) outcomes for PVNs issued in 2023. This includes the number of hearing reviews requested, cancellation rates, variance rates, and affirmation rates.

Table 5: Administrative Penalty Tribunal Outcomes – PVNs Issued in 2023

Total Hearing Reviews Requested	9,770	
APT Outcome Type	Outcomes	
	Totals	% of Hearing Reviews Requested
Hearing Decision – Cancellation	1,219	12.48%
Hearing Decision – Variance	3,905	39.97%
Hearing Decision – Affirmation	1,435	14.69%
Hearing Decision – Motions & Paid Prior to Hearing	543	5.56%

A number of Hearings remain outstanding related to those customers who requested a Hearing late in 2023 but do not have a disposition.

Table 6 below outlines cancellation activity for PVNs in 2021, 2022 and 2023. This includes all cancelled PVNs organized by category. This information is provided for comparison purposes.

Table 6: : Breakdown of PVNs Cancelled – 2021, 2022 and 2023

Reason for Cancellation	2021 Total	2022 Total	2023 Total
Cancelled by Screening or Hearing Officer	33,181	46,172	54,355
Cancelled by Parking Ticket Operations (plate errors, errors on tickets, etc.)	34,021	49,114	49,701

Reason for Cancellation	2021 Total	2022 Total	2023 Total
Cancelled due to Drive Away – offender drives away before officer can serve the ticket	165	230	63
Total cancelled	67,367	95,516	104,119

*Error on ticket now includes other errors related to Ministry of Transportation returns, missing information, or mismatched vehicle/plate.

Drive-away cancellations continue to decrease given that the City now mails tickets to any parking offender who drives away before the ticket can be served, provided there is sufficient data on the ticket to process the violation and obtain ownership information.

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ATTACHMENTS

Attachment 1: Breakdown of PVN Issuance by Parking By-law Category – 2022 and 2023.

Attachment 2: Collection Activity for PVNs Issued through 2013 - 2023

Attachment 1

Breakdown of PVN Issuance by Parking By-law Category – 2022 and 2023

Note: The “Other Violations” category is a summation of all other parking violations where issuance is under 1,000 in each category. The fines / penalties in this category range from \$15 - \$500.

Parking Bylaw Category	Penalty Amount	PVNs Issued in 2022		PVNs Issued in 2023	
		#	%	#	%
No Parking – “Park Signed Highway during Prohibited Times/Days – Excess Times”	\$30.00-\$500.00	311,879	17.12%	378,268	16.76%
Expired Meter Offences – “Park at Expired Meter, Fail to deposit fee/display receipt”	\$30.00-300.00	285,332	15.67%	373,454	16.55%
No Valid Permit – “Park (Prohibited area/location) without a Permit”	\$30.00	272,229	14.95%	347,833	15.42%
Private Property – “Park Vehicle on Private Property without Consent”	\$30.00-\$75.00	377,293	20.72%	434,988	19.28%
No Stopping – “Stop Vehicle signed Highway Prohibited Time/Day”	\$60.00-\$300.00	151,106	8.30%	217,836	9.65%
Parking – 3 Hour Limit - “Park Longer than 3 Hours”	\$30.00	86,645	4.76%	109,467	4.85%
Parking with Expired Plates – Parking vehicle displaying expired license plate	\$40.00	212	0.01%	283	0.01%
No Standing – “Stand Vehicle signed Highway Prohibited Time/Day”	\$55.00-\$300.00	59,184	3.25%	69,572	3.08%
Other Violations – Park facing wrong direction, etc.	\$15.00-\$60.00	1,296	0.07%	1,240	0.05%
Fire Hydrant – “Park – 3M of Fire Hydrant”	\$100.00	24,029	1.32%	29,144	1.29%
No Parking 2:00am – 6:00am in North York from Dec 1 to Mar 31	\$40.00	21,166	1.16%	26,545	1.18%
Parking – Transit Zone – “Stand Vehicle - Signed Highway – Transit Zone”	\$150.00	13,954	0.77%	16,857	0.75%
Stop Sidewalk/Footpath – “Stop - on/over sidewalk/footpath”	\$60.00-\$150.00	9,525	0.52%	13,665	0.61%
Parking – Public Lane - “Park in Public Lane”	\$40.00	8,510	0.47%	11,868	0.53%
Fire Route – “Park Vehicle in Designated Fire Routes”	\$250.00	11,476	0.63%	13,096	0.58%
Parking – 9M Intersection - “Park - 9M of Intersecting Highway”	\$50.00	4,238	0.23%	5,198	0.23%
Park/Stand Passenger/Freight Loading Zones	\$40.00-\$100.00	20,664	1.13%	29,015	1.29%
Unauthorized Parking on Boulevard	\$50.00	7,802	0.43%	8,852	0.39%
Disabled Parking – “Park Vehicle in Designated Disable Parking Space”	\$300.00-\$450.00	14,809	0.81%	17,538	0.78%
Municipal Offences – “Park Vehicle on Municipal Property without Consent”	\$30.00-\$75.00	106,250	5.83%	113,431	5.03%
Parking – Parallel to Curb – “Fail to Park/Stop Parallel to curb”	\$30.00	3,617	0.20%	4,791	0.21%
Parking – “Park/Obstruct Driveway/Laneway”	\$50.00	4,205	0.23%	4,811	0.21%
Park/Stand Signed Taxi Cab Stand	\$40.00-\$60.00	7,654	0.42%	8,418	0.37%

Parking Bylaw Category	Penalty Amount	PVNs Issued in 2022		PVNs Issued in 2023	
Park in a Park	\$100.00- \$175.00	12,277	0.67%	12,853	0.57%
Fail to Park/Stop Parallel to Right Hand Side of Highway	\$30.00	3,366	0.18%	4,286	0.19%
Stop Roadway Side of any Stopped or Parked Vehicle	\$150.00	1,187	0.07%	1,422	0.06%
Stop Within a Crosswalk	\$40.00- \$100.00	925	0.05%	1,005	0.04%
Park Heavy Truck Highway, Prohibited Times/Days	\$90.00	508	0.03%	689	0.03%
Totals		1,821,338	100%	2,256,425	100.00%

Attachment 2

Collection Activity for PVNs Issued through 2012 to 2023

Year	A Number of PVNs Issued	B Number of PVNs Cancelled ¹	C Outstanding PVNs (i.e. Issued but not cancelled) (A-B)	D Total # of PVNs Paid as of Dec 31, 2023	E Total Revenue collected (does not include MTO/MAG Fees)	F Collection Rate as a % of PINs or PVNs Issued (D/A)	G Collection Rate as of % of Outstanding PVNs (D/C)	H Anticipated Final Collection Rate ² (Est.)
	#	#	#	#	\$	%	%	%
2013	2,630,402	578,250	2,052,152	1,903,880	71,822,560.38	72.38%	92.77%	99.00%
2014	2,498,660	509,768	1,988,892	1,933,681	78,934,912.53	77.39%	97.22%	99.00%
2015	2,183,523	351,638	1,831,885	1,768,667	76,636,308.86	81.00%	96.55%	99.00%
2016	2,268,110	308,499	1,959,611	1,862,748	83,892,769.45	82.13%	95.06%	99.00%
2017	2,146,526	240,135	1,906,391	1,786,727	79,780,703.20	83.24%	93.72%	99.00%
2018	2,045,498	163,114	1,882,384	1,736,983	78,267,636.24	84.92%	92.28%	99.00%
2019	2,219,544	191,090	2,028,454	1,806,355	82,282,872.15	81.38%	89.05%	99.00%
2020	1,404,734	107,624	1,297,110	1,133,190	52,837,663.38	80.67%	87.36%	99.00%
2021	1,479,644	67,367	1,383,107	1,157,939	58,222,393.48	78.26%	83.72%	99.00%
2022	1,821,338	95,516	1,707,330	1,341,903	67,311,131.75	73.68%	78.60%	99.00%
2023	2,256,425	104,119	2,152,988	1,409,033	70,466,590.23	62.45%	65.45%	99.00%

1. PVNs under the City's APS are cancelled for administrative and legislative reasons in accordance with City by-laws.
2. Final collection rates are based on the year-end accruals as of December 31, 2023, which includes anticipated future adjustments to the PVN values.