

Payment of legal expenses related to an Integrity Commissioner investigation

Date: April 15, 2026

To: City Council

From: City Clerk

Wards: All

SUMMARY

The purpose of this report is for Council, in accordance with the Members of Council Operations Policy, to consider approving the reimbursement of legal fees incurred by Councillor Moise in relation to the recent Integrity Commissioner investigation.

RECOMMENDATIONS

The City Clerk recommends that:

1. City Council approve the reimbursement of legal expenses of \$20,807.61 net of HST recovery plus any interest owing to the law firm retained by Councillor Chris Moise to assist him in responding to the Integrity Commissioner's investigation.

FINANCIAL IMPACT

The City Clerk's Office has received two invoices related to the Integrity Commissioner investigation, resulting in total legal expenses incurred of \$28,105.93 inclusive of HST, or \$25,310.26 net of HST recovery. As the invoices have not been paid in full yet, there is an interest charge of \$224.04 owing to the law firm to date.

A partial payment of \$5,000 inclusive of HST or \$4,502.65 net of HST recovery was made and funded from the 2025 Council General Expense Budget for the first invoice.

The remaining balance submitted by the Councillor totals \$23,105.93 inclusive of HST or \$20,807.61, net of HST recovery.

If approved by City Council, the remaining balance will be paid and funded from the 2026 Council General Expense Budget. There is sufficient budget available in 2026 to cover this expense.

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

DECISION HISTORY

City Council on July 15, 16 and 17, 2008 adopted as amended EX22.6, "Report on Issues Arising Out of Operation of Members Code of Conduct and Complaint Protocol" which established a code of conduct complaint protocol that included a process for how legal fees can be expensed as part of a Code of Conduct Investigation.

<https://secure.toronto.ca/council/agenda-item.do?item=2008.EX22.6>

City Council on January 30 and 31, 2019, adopted EX1.3, "Chapter 3 Amendments - Enhanced Authorities of Integrity Commissioner as a Result of Bill 68" which amongst other things gave the Integrity Commissioner to establish complaint procedures within the Integrity Commissioner's authority without having to seek Council approval. The Complaint Protocol was replaced by the [Complaint and Application Procedures](#), created and updated by the Integrity Commissioner. The Procedures do not speak to reimbursement of legal costs, which is outside the scope of the Commissioner's authority.

<https://secure.toronto.ca/council/agenda-item.do?item=2019.EX1.3>

City Council on December 13, 14 and 15, 2023, adopted as amended EX10.12 - Updates to the Constituency Services and Office Budget Policy, changing the name to The Members of Council Operations Policy. <https://secure.toronto.ca/council/agenda-item.do?item=2023.EX10.12>

COMMENTS

The Members of Council Operations Policy outlines in section 8.5d:

Legal fees related to Code of Conduct investigations [are eligible expenses]:

- if the Integrity Commissioner has found the Member violating the Code and City Council received the Integrity Commissioner's report for information.

The City Clerk's Office uses the past Code of Conduct Complaint Protocol for Members of Council as guidance with respect to legal fees from an Integrity Commissioner Investigation. Using that past protocol as guidance, section 11(2) states that a member can be reimbursed for actual and reasonable legal expenses up to a maximum of:

(a) \$5000; or

(b) \$20,000 if the Integrity Commissioner has elected to investigate the complaint by exercise of the powers of a commission under Parts I and II of the *Public Inquiries Act*.

Legal expenses can be paid in advance during an investigation, if the Integrity Commissioner is of the opinion that the use of a lawyer would assist the investigation (section 11(5)).

After receiving notice of the investigation, Councillor Moise retained an external lawyer. Councillor Moise then requested that the City Clerk's Office process the reimbursement of his legal expenses. The City Clerk's office, following the protocol, consulted with the Integrity Commissioner. The Integrity Commissioner agreed that a lawyer would assist the investigation and indicated that the Integrity Commissioner had not elected to investigate exercising the powers under the *Public Inquiries Act*. On that basis, the City Clerk has processed a partial payment of \$5,000 to the lawyers retained by Councillor Moise.

Councillor Moise incurred additional legal expenses above \$5,000. The total legal expenses incurred during this investigation is \$28,105.93 inclusive of HST. The City has paid \$5,000 to date, leaving the remaining balance to be \$23,105.93 plus any interest owing.

This is an allowable expense under the Members of Council Operations Policy and the past protocol indicated that City Council may consider the reimbursement above the limits on a case-by-case basis and that it would be contingent on a report from the City Clerk and City Solicitor in consultation with the Integrity Commissioner.

The City Clerk's Office has consulted with both the City Solicitor and the Integrity Commissioner on this report. The City Solicitor has reviewed the invoices and determined the rates are reasonable. The Integrity Commissioner noted that the assistance of legal counsel for a Respondent during an Integrity Commissioner investigation is always helpful and that the Integrity Commissioner takes no position on the current reimbursement request.

CONTACT

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SIGNATURE

John D. Elvidge
City Clerk