

For Immediate Release

Ombudsman Report - An Investigation into the Parking Ticket Dispute System in Toronto.

Toronto – November 22nd, 2012

City of Toronto Ombudsman Fiona Crean says the City needs to improve its procedures for handling parking tickets so that more drivers can get accurate information, understand their options and avoid court.

Fiona Crean today released *An Investigation into the Parking Ticket Dispute System in Toronto*. “My investigation found that, on balance, drivers are getting reasonable service, given that 2.8 million parking tickets are issued annually. But there are some flaws that need to be fixed. Information on the ticket downplays the trial option and drivers are not being told there are ways to get tickets cancelled instead of going to court.”

The Ombudsman began her investigation after receiving complaints that the dispute process for resolving parking tickets seemed designed to maximize revenue by making it quick and easy to pay the ticket, and frustrating and inconvenient to challenge it.

Crean found that people wanting to dispute their parking ticket faced a number of difficulties, including:

- Inaccurate information on the City’s website exaggerates the inconvenience of fighting a ticket in court.
- The parking ticket states people must choose between two options for paying a fine. A third option of going to trial is not similarly highlighted, because, according to staff, it could lead to more people going to court.
- City staff are not telling people about the existing Cancellation Guidelines that, in some circumstances, allow tickets to be withdrawn without a trial.

“I am pleased the City Manager has agreed to give drivers better access to the information that is available,” says Crean. “But the City needs to go further if it hopes to solve the court backlog, which right now has people, in some cases, waiting as long as year-and-a-half to have their day in court.”

The Ombudsman says one thing that will reduce the frustrating and irritating court delays is a fixed fine for parking infractions, which the City plans to implement next year. “This should prevent drivers from going to court just to have their fine reduced.”

Fiona Crean says special parking permits for courier and delivery vehicles, which are under consideration by the City, could also improve the system. "These permits will allow them to legally park in no-parking zones for up to 30 minutes."

The Ombudsman further believes the City should consider eliminating the fine system and move to an Administrative Monetary Penalty (AMP) for parking infractions. Such a system takes parking disputes out of the courts and sends them to an administrative adjudicator or tribunal to be settled. This could settle disputes in far less time than it currently takes, and would be less expensive for the City to operate.

"The City of Toronto is afraid an AMP program may not withstand a court challenge," says Crean, "so I am recommending Toronto ask Ontario's Attorney General to refer the matter to the Ontario Court of Appeal for a ruling. The cities of Vaughan, Oshawa and Vancouver already have moved to AMPs, allowing drivers to have their challenges to parking violations settled in a matter of weeks."

The Ombudsman is also recommending the City of Toronto consult with Toronto Police Services on expanding the information on the TPS parking ticket.

The City Manager has agreed to and will implement all eleven of the Ombudsman's recommendations by the end of 2013, with a progress report by May 2013.

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A copy of *An Investigation into the Parking Ticket Dispute System in Toronto* and its recommendations is available on the website for the City of Toronto Ombudsman, www.ombudstoronto.ca/.

For more information or to arrange interviews, contact:

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Toronto's Ombudsman is an impartial and independent officer of City Council, providing an appeal of last resort for people who feel they have been adversely affected by a decision, act or omission of City Administration. The Ombudsman also undertakes investigations into systemic problems that cause equitable, substantial and procedural unfairness in City administration.