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**Official Report
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Tuesday 24 March 2015

**Journal
des débats
(Hansard)**

Mardi 24 mars 2015

**Standing Committee on
Government Agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

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Hansard Reporting and Interpretation Services
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 24 March 2015

Mardi 24 mars 2015

The committee met at 0901 in committee room 1.

The Chair (Mr. John Fraser): I call the meeting to order. Good morning, everybody. Another Tuesday morning.

Mr. Lou Rinaldi: Again.

The Chair (Mr. John Fraser): It's kind of like Groundhog Day.

SUBCOMMITTEE REPORTS

The Chair (Mr. John Fraser): We have a couple of subcommittee reports, so I would like to call for the subcommittee report dated Thursday, March 12. Can I have somebody—Mr. McDonell?

Mr. Jim McDonell: I move adoption of the subcommittee report on intended appointments dated Thursday, March 12, 2015.

The Chair (Mr. John Fraser): Thank you very much, Mr. McDonell. Any discussion?

All those in favour? All those opposed? The motion is carried.

For the subcommittee report dated Thursday, March 19, 2015: Mr. McDonell?

Mr. Jim McDonell: I move adoption of the subcommittee report on intended appointments dated Thursday, March 19, 2015.

The Chair (Mr. John Fraser): Thank you very much. Any discussion?

All those in favour? Opposed? The motion is carried.

The Chair (Mr. John Fraser): We'll move to appointments now. We have two appointments this morning. We will consider the concurrences after we finish interviews.

INTENDED APPOINTMENTS

MR. JEFFREY WEINSTEIN

Review of intended appointment, selected by official opposition party: Jeffrey Weinstein, intended appointee as member, Ontario Review Board.

The Chair (Mr. John Fraser): Our first intended appointment is Jeffrey Weinstein, nominated as member, Ontario Review Board.

Mr. Weinstein, can you come forward, please? Thank you very much for coming here today.

Mr. Jeffrey Weinstein: Thank you.

The Chair (Mr. John Fraser): We appreciate it very much. You may begin with a brief statement. Members of each party will have 10 minutes to ask you a question. Any time that you use will be taken away from the government's time. The questioning will begin with the third party.

Mr. Weinstein, please.

Mr. Jeffrey Weinstein: Thank you very much, Mr. Chair. I want to thank the committee for their consideration. I am very honoured and pleased to appear before you this morning. My objective here today is to be appointed as an eligible legal member to serve on the Ontario Review Board, to prove to you that not only do I have the skills and desire to give back to the community by serving on the Ontario Review Board, but that I can make a meaningful contribution to this board.

I am, at the age of 62 years old, in the fortunate position to have the time and, most importantly, the desire to give back to our community by serving on a panel that interests me greatly, both intellectually and personally.

All of my referees have served on the Ontario Review Board. In fact, Dr. Hy Bloom is a long-standing and current member and chair of the Ontario Review Board. Regional Senior Justice Timothy Lipson served on the board for 17 years, 10 as chair. They, along with Justice Lawrence Feldman, who served for nine years, seven as chair, would often discuss the matters before them. They encouraged me to apply and felt that I would make an excellent candidate.

On a more personal level, a couple of years ago very close friends of mine, David and Lesley Skelly's son Kit committed suicide. He was diagnosed with schizophrenia and had been battling it for years—living on the street; in and out of Sunnybrook hospital, Covenant House and their home; and the cycle would repeat itself. I've been involved in their struggles throughout. I'm very aware of the pain and trauma of mental illness.

I've also spoken to the chair, Dr. Richard Schneider, who also encouraged my application and is looking forward to me joining the Ontario Review Board. Both he and his executive assistant were very pleased by the fact that my schedule is so flexible that it allows them to call upon me at the last minute to serve on a panel and save all concerned time and money.

I bring a well-rounded set of life skills, as a lawyer, teacher, businessperson and speaker who deals regularly with communication issues, to this position.

In my years as a trial lawyer, I was often called upon to mediate between litigious parties, including my own clients. I learned how to listen and understand each party's needs and position.

I am familiar with and comfortable in a courtroom setting. I understand the distinct roles of an adjudicator, an advocate, the individual in question and the public interest.

I appreciate the value of due process and the need to interpret and apply rules with reasoned and sound judgment, taking into account all of the specific circumstances.

I have taught third-year business students at George Brown and was a guest lecturer on negotiations at the McGill school of management and at George Brown. As such, I understand the importance of achieving trust by being impartial, proving you have listened and asking good questions.

I was the first sales agent to be elected president of the Ontario region of the Canadian Institute of Plumbing and Heating. As president, I managed a board of 13 senior industry representatives.

I enjoy the collegiality and intellectual discussions a team model provides, and as such, I understand the importance of being a team player.

As president and co-founder of Soulful Communications, I developed and presented a series of nine interactive seminars on such communications issues as how to deal with difficult people, gender communications and, of course, negotiations. In this role, I was a master presenter at Canyon Ranch, the number one-rated spa in North America, and at LeSport, the number one-rated spa, according to Condé Nast, in the Caribbean.

As such, I've learned how to respond rather than react, that discussions are not personal, and to understand that we all have the same, common goal. I know how to work with and within groups.

I look forward to answering your questions. Thank you again for the opportunity to give you this high-level overview of my qualifications.

The Chair (Mr. John Fraser): Thank you very much, Mr. Weinstein.

Ms. Forster.

Ms. Cindy Forster: When I was reviewing your resumé, I noticed that "Community involvement" and "Memberships in professional organizations" were left blank. Have you had any kind of involvement with mental health agencies or with professional organizations around mental health issues that might assist you in this appointment?

Mr. Jeffrey Weinstein: I have worked with Out of the Cold but have no formal involvement on any formal committee dealing with mental health issues. In my experience with the Out of the Cold program, most people there suffer with either addiction or mental health problems—not to the level that one would ever see appearing before one at the Ontario Review Board. Does that answer your question?

Ms. Cindy Forster: Yes. Do you believe that you have the skills necessary to make legal judgments based on people's mental health?

Mr. Jeffrey Weinstein: I have done a lot of research and preparation for this meeting. I've spoken to other committee members. I have read Dr. Hucker's article in Forensic Psychiatry on review boards.

As well, the Ontario government passed a paper on the powers and jurisdiction of the Ontario Review Board called Demystifying the Justice and Mental Health System, A Conference for Families, on May 3, 2008.

I will be serving on the board with four other members, two of whom are psychiatrists or psychologists. I understand from Dr. Hy Bloom that I will be given manuals and books to read in preparation for this hearing. At this age, you learn how much you don't know and I have no trouble reaching out for mentoring and advice from my three referees as to how I should prepare, what I should be reading, what I should be doing in preparation for any boards—it is very important to me to understand the issues.

0910

My appointment, again, is on the legal side as opposed to the psychiatric and psychology side, and I understand that there is a wonderful intellectual discussion on the matters presented to you by the hospital adjudicators and within the panel room as well.

Ms. Cindy Forster: Thank you.

Mr. Jeffrey Weinstein: You're welcome. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Ms. Forster. Ms. Vernile?

Ms. Daiene Vernile: First of all, I want to thank you for stepping forward and wanting to commit yourself to this important public service.

With regard to mental health and mental illness, we have a great deal of discussion about that these days. We see it in government and in the media. What do you think is the number one issue with regard to addressing mental health concerns in Canada today?

Mr. Jeffrey Weinstein: First, I think we've finally started on the right path.

Ms. Daiene Vernile: That we're talking about it.

Mr. Jeffrey Weinstein: Yes. For many years we didn't talk about it. Now you see the ads by Bell on mental health, "Let's talk about it," and you see advertising. There's still a huge stigma. Dealing with my friends Lesley and David, a couple of things: On a personal level, they were at our house the night before their kid died. She was thinking, "If I had cancer or my husband had cancer, my neighbours would bring me over food. 'What can I do for you?' But my son has schizophrenia"—so we draw back.

So we have started, Lesley and David have—and I mention their names because they have given interviews. They were the first ones, in their funeral notice, to mention their son's schizophrenia—in the death notice. If my wife died of breast cancer or my husband—we put that in the death notice. But if we suffer from a mental illness, it's still what cancer used to be, the "small c." "Oh, he has cancer." We whisper it.

Ms. Daiene Vernile: What do you think we need to do to mitigate the stigma?

Mr. Jeffrey Weinstein: Talk about it. Let's bring it out. We are starting. It's great.

I'm marching on May 24—there's an SSO, the schizophrenics' society organization, and we're leaving from city hall, and I'm joining it. I joined that march last year, and it was very poorly turned out. With all due respect, maybe some members of Parliament can come and wear these T-shirts and show that they are there. We need community leaders to say, "Hey, this is important." We're doing a great job with bullying finally. So we're just starting.

Then, to push an agenda, if I may, from Lesley and David: The parents care the most. A lot of times in this situation, with mental illness, it happens at age 18, 19, 20, when the kids are away at university and because of our privacy rules—I'm not saying break privacy rules. I will suggest, if I may, parents are the last to know when their child is not attending school, when their child is sitting in the classroom—or, from depression, sitting in their room. The monitors know; the monitors are there. I would like to see, ideally—and I've talked with David and Lesley—that perhaps at the university level, "I have a right to waive privacy, so let me, when I sign up, waive that privacy. I can take it back"—it's a university. But at least, going in, no one suspects their child is going to suffer from mental illness. You just don't. We don't expect anything to happen to us, and it happens to us.

Parents need to be involved at a much earlier age, but once their kids are over 18, I've seen them with eating disorders, with depression. The parents can't get involved. The kids are happy to have their parents involved. These are loving families. There's no blame on anybody. The parents are the people who would act the quickest. So I would like to see some way of, at registration in university, as an easy fix, saying, "Hey, do you agree that we can notify your parents if we feel that there are problems?" My wife is here, on a personal level. She has taught at George Brown. When you felt the student had a learning disability and could benefit from help, you were not allowed to go to that child and say, "Why don't you go to the learning centre and tell them you have a learning disability? They'll give you more time on exams. You can take your exam orally." I understand that, but there are restrictions which I think are easy fixes; by the time they get in front of me, it's too late.

I think we can get people who have the daily contact and see your child outside of the home. If you met my mother, you would think she's great, but she has Alzheimer's. She can mask it for five to seven minutes. I see it. I hope that answered your question.

Ms. Daiene Vernile: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Ms. Vernile. Mr. McDonell?

Mr. Jim McDonell: Thank you for coming out today. So you practised law for 10 years?

Mr. Jeffrey Weinstein: Yes.

Mr. Jim McDonell: Some examples—what type of law were you involved with or practising?

Mr. Jeffrey Weinstein: I started off primarily with litigation—trial work. Then I ended up doing a bit of a balance with both corporate-commercial—drawing leases, drawing agreements—and litigation. Actually, it was very good because my litigation skills showed me what could go wrong. In drafting agreements, I could see what the issues were between parties in negotiating agreements—where what I call the land mines were.

Mr. Jim McDonell: What drew you away from the legal profession?

Mr. Jeffrey Weinstein: No lawyer has ever asked me that question, by the way.

There are several reasons. Number one: At the time, I was just over 30. I skipped a couple of years of university. I was quite young. I had already practised 10 years. I was not married, so the only risk was to myself. I didn't have any family. I wanted to get into business. Sales is a very, very important part of business, and I was offered an opportunity to get into a sales position. I did not realize I'd love sales so much. I ended up becoming a sales representative, a manufacturer's representative. I became their national sales manager. I then became a sales agent representing different lines, and did that for a number of years as well.

After the fact, you realize that law is a very negative profession. You're always looking at what can go wrong, and you don't trust anybody, including your client.

Laughter.

Mr. Jeffrey Weinstein: You laugh, but the reason people—"Why did I get this letter from this lawyer?" "I did it to protect myself from you. This is from our conversation; we discussed this." It's not just for billing purposes.

It's very, very negative. Especially in family law, it may not bring the best side out in some people sometimes.

I was fortunate enough. My father says, "When you're young, you sometimes take chances that, if you were older, you wouldn't." Fortunately I was young and I took the chance, and I'm thrilled with it. I'd be a much better lawyer now today with my knowledge of sales negotiations and communications than I was when I graduated from law school.

Mr. Jim McDonell: Do you have much exposure to people who are suffering from mental illness?

Mr. Jeffrey Weinstein: My family and friends—I have a niece and a cousin with borderline personality disorder, and a very, very close friend who suffered from depression, to such an extent where this friend had to have electric shock therapy.

I don't know if it's more exposure than anybody else, but certainly with my involvement with David and Lesley, a lot more involvement in organizations and supporting them and attending events with them, in the last two, three years—much more than I ever had in the last 20 years.

Mr. Jim McDonell: Do you find that, for the most part, people are left on their own to deal with the issues?

I think most people seem to have some connection with somebody who has a mental illness and the family that's left to deal with it.

0920

Mr. Jeffrey Weinstein: Yes. I know that David and Lesley are involved in trying to get an organization of resources—where to turn, where to go. The mental health system is very, very tough to navigate.

Another friend's son currently has OCD and depression. He tried to get him into Sunnybrook and they turned him away, so he went to another hospital and he actually got into that hospital. But here's a parent—how many of us have the time, the effort, the knowledge to push? This is a highly educated person—I'm not saying a non-educated person at all; I'm just saying they're used to pushing, and he was able to get his son into treatment.

There are a lot of barriers. It could be resource-based. I'm not an expert in that at all. Everything is resource-based; let's be realistic. At the end of the day, if we had enough money we could solve a lot of problems or help ameliorate a lot of problems.

Mr. Jim McDonell: Just something that I guess I see is a lack of resources and people mainly stuck with no solutions, especially if they have no family.

Mr. Jeffrey Weinstein: Yes.

Mr. Randy Pettapiece: Thank you for coming in today; it's an interesting—

The Chair (Mr. John Fraser): Mr. Pettapiece? Sorry; I just wanted to make sure, for the record, that they know you.

Mr. Randy Pettapiece: Oh, I'm sorry.

The Chair (Mr. John Fraser): It's no problem.

Mr. Randy Pettapiece: I think it was on my second son's peewee ball team: One of the players committed suicide. He was just a young man. The unfortunate thing, other than the loss of this young fellow, was that nobody knew about it. Nobody knew he was going through his issues until it happened and then all the questions came out. So this is certainly a difficult position. I understand what you're going through because actually with these young fellows who were left, the young ball team, they certainly couldn't understand why it happened.

I can see some advantages of you being a lawyer and a salesman at the same time. You can probably write the contract out as you're making the sale, so that could be an advantage of you being in sales.

I just wanted to comment here: I think you bring with you some very good points. Certainly from your life experience, it seems to me that you probably would be a good fit for this position.

Mr. Jeffrey Weinstein: Thank you very much. I appreciate your comments, very much so.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece.

Mr. Weinstein, you may step down. Thank you very much for being here this morning. I appreciate you coming in and taking the time.

Mr. Jeffrey Weinstein: Thank you.

MR. GÉRALD NAUD

Review of intended appointment, selected by official opposition party: Gérald Naud, intended appointee as member, Social Benefits Tribunal, Social Justice Tribunals Ontario.

The Chair (Mr. John Fraser): Our next intended appointee is Gérald Naud, a nominated member, Social Benefits Tribunal, Social Justice Tribunals Ontario. Mr. Naud, can you please come forward?

Mr. Gérald Naud: And just sit here?

The Chair (Mr. John Fraser): Yes.

As mentioned earlier in the meeting, the concurrences will be taken after we're finished both of our interviews.

Thank you very much for being here this morning, Mr. Naud. You may make a brief statement. After that, members from each party will be able to ask you questions for about 10 minutes. Any time that you take will be taken from the government's time. The questioning will begin with the government. Thank you very much, Mr. Naud, for being here.

Mr. Gérald Naud: Thank you very much. Good morning, Mr. Chair and all members of the committee. I'll keep it very short: I'm here to offer my services as a full-time member of the Social Benefits Tribunal. Since 2004 I've been a full-time member with the Landlord and Tenant Board. For approximately four years I sat on the board's rules and guidelines committee. The tribunal's internal leaders have recommended that I apply to the Social Benefits Tribunal.

I have a legal background. I'm bilingual. I'm committed to continuous learning and ensuring fairness in the administrative process of the Social Benefits Tribunal and the Landlord and Tenant Board. It would be a privilege to obtain your vote of confidence to allow me to pursue my dedication to serve the people of Ontario. Thank you. Merci beaucoup. You can ask your questions in French or in English.

The Chair (Mr. John Fraser): Merci, monsieur Naud. Madame Lalonde?

M^{me} Marie-France Lalonde: Bonjour, monsieur. Merci d'être ici aujourd'hui.

M. Gérald Naud: Bonjour, madame Lalonde.

Mrs. Marie-France Lalonde: C'est un plaisir.

How does your experience on the Landlord and Tenant Board prepare you for this new board?

Mr. Gérald Naud: With the Landlord and Tenant Board, the tenants we're dealing with are not the most privileged a lot of times. They're usually the same clients who would be coming before the Social Benefits Tribunal. You have to have mastered a bit of compassion and empathy to be able to do this type of job. It's not always that pleasant for them to come before us and, therefore, you have to make them feel comfortable and listen to them quite closely to render the right decision.

M^{me} Marie-France Lalonde: That will be the only question. Merci beaucoup. Merci d'être venu ici aujourd'hui.

The Chair (Mr. John Fraser): Mr. McDonell?

Mr. Jim McDonell: You talked about your experience on the Landlord and Tenant Board. Just maybe delve a little bit deeper into some of the experience you bring from that.

Mr. Gérald Naud: There are many aspects. At what level would you like me to delve a little deeper? Is it from the type of clients? Or is it from the process standpoint? There are many things that I can delve into to demonstrate what I can do.

Mr. Jim McDonell: Your average case. We hear from both sides, people going to the board, how it worked, the efficiencies of the board, the backlog—just some of the issues you saw with that board.

Mr. Gérald Naud: One of the big things for me, when you're talking about backlog, is that you have to be committed to the workload that's in front of you. I'm an adjudicator, I'm a soldier on the front line, and you cannot be afraid of doing work.

We're getting more and more work, and what I like is the new technology that's helping us. I've always worked with implementing new ways of holding hearings. We're now developing by telephone, videos, Skyping—these are all tools that are available to us so that we can tap into some of the clients who are in remote areas and give them access to fairness, to the process. This goes for any type of client, whether it be with the Landlord and Tenant Board, or whether it be with the Social Benefits Tribunal, where you have people on ODSP. Maybe at that point they'll benefit from all this new technology that's coming in so that they can be in front of the board or tribunal in a more expeditious manner. We are doing quite well, actually, with the Landlord and Tenant Board in the Ottawa region. I'm proud of what we do in Ottawa.

Mr. Jim McDonell: Have you seen a lot of repeat offenders on either side?

Mr. Gérald Naud: We're getting a better handle on this. It wasn't there when I first started. You can call them almost vexatious litigants, where we're spending sometimes too much time with those people who are coming. They're using up time for people who really need our services. We need to be able to eliminate some of these people from taking so much time in front of our process. We're just getting a handle on how to be able to do this now.

I think we're going to see some changes coming up in all of the social boards or tribunals in the cluster as we see that some are taking up time for absolutely nothing.

Mr. Jim McDonell: Will you hold on to both positions at the same time—

Mr. Gérald Naud: Yes. That's what has been recommended. The big advantage of being able to do both is that—we end up travelling quite a bit. We go into areas such as Hawkesbury and Cornwall, and since I'd be there, let's say, for the Landlord and Tenant Board, there's no reason for me not to be there for the Social Benefits Tribunal. I think this is what the tribunal and the board are looking at.

My vice-chair is appointed on both the board and the tribunal and is looking to make it as efficient and effective,

from a monetary standpoint, to be able to go to these areas and not have to go there twice and repeat it. That's what the advantage is on some of these cross-appointments.

The other thing that I have is that I'm bilingual, so you don't have to send one member who's just English for one board or whatever. You can send somebody who can do the bilingual cases for both the board and the tribunal. That's where it becomes more efficient and effective.

0930

Mr. Jim McDonell: Now, typically when you do hearings, are they all day? Is it typically one case or a few cases, or is it just part of a day that you go down for some of these?

Mr. Gérald Naud: With the Landlord and Tenant Board we're there for one day. With the Social Benefits Tribunal, they are there usually for a period of three days. There's some overlap, because sometimes we can be with the Landlord and Tenant Board and you don't have as many cases that are in your block; instead of being there only for three hours, you may be able to start a block, if you want, for the Social Benefits Tribunal on the same day, which is never really done. In our case, maybe there is some type of improvement in management to be able to do these things, depending on the workload.

Now, I'm not going to say that it's absolutely necessary to do this, because with the Landlord and Tenant Board, if you see how many cases we get per block, it's quite phenomenal, and sometimes it's difficult just to be able to put another hearing block in the afternoon because of the numbers that we're dealing with.

Mr. Jim McDonell: So how many adjudicators would typically be in a session? Would there be a chair, yourself—

Mr. Gérald Naud: At the Landlord and Tenant Board, for example, on average we get 40 cases and I'm alone when I sit in. Is that what you're looking for?

Mr. Jim McDonell: Oh, okay. So it's not a—

Mr. Gérald Naud: It's not a panel, and over a period of 10 years I've written over 20,000 decisions, so that's where a bit of the expertise comes into play. I'm not a person who has a big flair on his pen. I don't write for the Supreme Court of Canada. I try to make sure that the clients understand what I say and what I write; it's written for the common layman, so that he understands exactly my decision.

Mr. Jim McDonell: With your experience, do you see any changes that you think need to be made to that system to make it more efficient and more useful to the clients on both sides?

Mr. Gérald Naud: At the Landlord and Tenant Board or the Social Benefits Tribunal?

Mr. Jim McDonell: Landlord—

Mr. Gérald Naud: For the Landlord and Tenant Board, it's very difficult right now to see any improvement of that system. The workload has increased so much, and we're still with the same number of people. The only way we're being rescued right now is by the

technology that's there. It's a question of more efficient management, and it is being promoted as we're going.

Mr. Randy Pettapiece: Mr. Chair?

The Chair (Mr. John Fraser): Mr. Pettapiece.

Mr. Randy Pettapiece: Yes, just one question: You say that the caseload in the Landlord and Tenant Board is growing.

Mr. Gérald Naud: Yes.

Mr. Randy Pettapiece: Can you see any factors that are making this caseload increase so much? Is it people not being able to pay their rents? Is there something that's common in this?

Mr. Gérald Naud: There's a common denominator that's coming out, and the gentleman before me mentioned it also. The question of mental health issues is ever-present, and it's taking up a lot of our time. The workload is there, but when it comes time for mental health, you get to see that you have to spend a little bit more time when it comes into those places, especially any type of human rights or disabilities where accommodation has to be brought in and evaluated. Those are almost many times hearings inside a hearing that take quite a bit of time, and you have to be able to draw the right information to make the right conclusion. They're not always self-evident.

Mr. Randy Pettapiece: So you're seeing an increase in the mentally challenged caseload?

Mr. Gérald Naud: Yes, definitely, and it's more demanding on time. It is time-consuming.

Mr. Randy Pettapiece: For sure. I can understand that. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Ms. Forster.

Ms. Cindy Forster: Thanks for being here today. What kind of work did you actually do? You're a lawyer. We had another lawyer who doesn't lawyer anymore. What kind of work did you do between 1984 and 2004, when you were appointed to the Landlord and Tenant Board?

Mr. Gérald Naud: Do we have enough time?

Ms. Cindy Forster: I have 10 minutes.

Mr. Gérald Naud: From 1984—I graduated in 1984—I was already recruited in my second year in university from law school. I worked at that firm for a little while, went out on my own, and then I got in with the federal government, with the transportation of dangerous goods, and then eventually got into business on my own. That lasted for probably about 10 years, almost, and then I got in with a legal publisher. I was in charge of their business development. And I applied for here, and here I am.

Ms. Cindy Forster: Okay. The Social Justice Tribunal has a backlog of almost 12,000 cases, an increase of 23% from the year before. The Auditor General made some recommendations to reduce the need for the cost of appeals—the high rate of overturns of decisions, which is at about 50%. There were some changes made, but there's still an overturn rate of 50% and an increase in the

backlogs. How are you going to address that backlog? Do you have any ideas?

Mr. Gérald Naud: Ideas? I haven't got into the social benefits; I haven't been trained yet. I don't understand all of the intricacies so far. I am committed to being able to get to learn the whole process, and I do collaborate highly with my superiors to be able to try to find new ways to develop, especially, technology, which I think is one of the ways to be able to get there. I still think that's one of the main ones.

My biggest contribution is the fact that I am bilingual, in that I can go into different areas and probably help on that backlog and also help from an efficiency and effectiveness standpoint. That's the biggest contribution that I know I can make.

Ms. Cindy Forster: What is the backlog of cases at the Landlord and Tenant Board?

Mr. Gérald Naud: When I listened to the backlog of 11,000, I'm not aware—being the adjudicator, we're committed to having the application that comes before the board to be heard within 21 days. I can guarantee you, in Ottawa and the surrounding region, we're very close to those standards. We're committed to having our decisions out within five days—80% of our decisions. Again, I can tell you that we are on target with those numbers.

It's a question of being a team in Ottawa, for members. We work very strongly together. When we're overworked and somebody has too much and has to catch up, we'll go in and sit in for another member. There's that kind of help between colleagues, and that's one of the things I love about where I work. I hope to do the same thing with social benefits.

Ms. Cindy Forster: The introduction of technology at the landlord-tenant tribunal: Has it reduced the backlog of cases, and by a certain percentage?

Mr. Gérald Naud: I don't know if I can say that it's reduced the backlog as much as it has given access to people who would not normally have access. As much as we'd like to say we want to corner the backlog, there are also other people—like with the Landlord and Tenant Board: Even though it has been there for a long time, people have never used their services, don't know about it, and some of the tenants are not aware of it, especially in remote areas of Ontario. As much as we'd like to open those services up, the backlog keeps growing. When I started with the board, it was at about 80,000 decisions a year and now we're getting near 100,000 decisions a year. And, I'm proud to say—in Ottawa, anyway—we're doing very well on the backlog.

Ms. Cindy Forster: In your role at the landlord-tenant tribunal, how many hours a week would you work, on average?

Mr. Gérald Naud: Personally, if I don't work 50 hours a week when I'm working, I don't work a day.

Ms. Cindy Forster: So how are you actually going to give enough attention to the—

Mr. Gérald Naud: Social benefits?

Ms. Cindy Forster: —the Social Benefits Tribunal if you're already working 50 hours a week for the Landlord and Tenant Board?

Mr. Gérald Naud: This is where the board has made a decision, from an efficiency and effectiveness standpoint, that I may help by going to the Social Benefits Tribunal, by going to different areas where the bilingual aspect will come into play—because Ottawa is a very different region. When I go to Hawkesbury, if I go to Cornwall, there are always French hearings. Instead of sending two members, now you just send one member for both boards. I can do both languages at the same time, so it compounds into four different aspects. That's where I think it makes sense.

The 50 hours a week: I'm not Superman either. It'll be a combination of discussion with my vice-chairs to be able to say, "I'll go work whenever you need: one week, social benefits; maybe three weeks this month with the Landlord and Tenant Board, and vice versa the next week." I have no qualms about how I'm being sent or where I'm sent at any time. I don't have kids at home anymore. It's my time to be able to put in some good, quality time for Ontario.

Ms. Cindy Forster: And I understand that. I understand that you're here to do the best job, but it seems to me that if you're already putting in 50 hours a week, something is going to suffer. Either the Landlord and Tenant Board is going to suffer because they're not going to have you there making decisions or the Social Benefits Tribunal is going to suffer because you're going to be somewhere else. Those are my comments and questions. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Ms. Forster.

Thank you very much, Mr. Naud. You may step down. We appreciate your presentation this morning.

Mr. Gérald Naud: Thank you.

The Chair (Mr. John Fraser): We'll now consider the concurrences.

We'll now consider the concurrence for Mr. Jeffrey Weinstein, nominated as member of the Ontario Review Board. Can someone move the concurrence?

Mr. Lou Rinaldi: Chair?

The Chair (Mr. John Fraser): Mr. Rinaldi.

Mr. Lou Rinaldi: Yes, Chair. I move concurrence in the intended appointment of Jeffrey Weinstein, nominated as member, Ontario Review Board.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Any discussion?

All those in favour? Opposed? The motion is carried.

Congratulations, Mr. Weinstein.

We'll now consider the concurrence for Gérald Naud, nominated as member of the Social Benefits Tribunal, Social Justice Tribunals Ontario. Would someone please move the concurrence? Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Gérald Naud, nominated as member, Social Benefits Tribunal, Social Justice Tribunals Ontario.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Do we have any discussion?

Mr. Jim McDonell: I just have the same concern. You're talking about two boards with a huge backlog, and I think that having one—it doesn't make sense that we wouldn't try to get rid of those backlogs by putting two different people in. Not anything against the candidate; I just think that—we heard about the huge backlogs. This is a full-time job, and to take somebody who's already working full-time with a backlog into it just seems to be problematic to me. I think there's room for two separate people in this location to try to help out the backlog.

The Chair (Mr. John Fraser): Thank you very much, Mr. McDonell. Any further discussion?

All those in favour? Opposed? The motion is carried.

Congratulations, Mr. Naud.

Thank you very much. The meeting is adjourned.

The committee adjourned at 0944.

CONTENTS

Tuesday 24 March 2015

Subcommittee reports	A-51
Intended appointments.....	A-51
Mr. Jeffrey Weinstein.....	A-51
Mr. Gérald Naud	A-54

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