

Legislative
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of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

A-18

**Journal
des débats
(Hansard)**

A-18

**Standing Committee on
Government Agencies**

Committee business

Subcommittee reports

Intended appointments

1st Session
43rd Parliament

Thursday 28 September 2023

**Comité permanent des
organismes gouvernementaux**

Travaux du comité

Rapports du sous-comité

Nominations prévues

1^{re} session
43^e législature

Jeudi 28 septembre 2023

Chair: Will Bouma
Clerk: Isaiah Thorning

Président : Will Bouma
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CONTENTS

Thursday 28 September 2023

Committee business	A-145
Subcommittee reports	A-145
Intended appointments.....	A-146
Mr. Robert Rock.....	A-146
Mr. Robert Rock.....	A-151

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Thursday 28 September 2023

Jeudi 28 septembre 2023

The committee met at 0900 in committee room 1.

COMMITTEE BUSINESS

The Vice-Chair (Mr. John Fraser): Good morning, everyone. The Standing Committee on Government Agencies has now come to order, as you can see. We're meeting to conduct a review of intended appointees. We are joined by staff from legislative research, Hansard, and broadcast and recording. As always, all comments by members and witnesses should go through the Chair.

The first item on the agenda is committee business. Committee members, a government vacancy has arisen on the subcommittee on committee business. Are there any motions? MPP Pang.

Mr. Billy Pang: I move that MPP Kevin Holland be appointed to the subcommittee on committee business.

The Vice-Chair (Mr. John Fraser): MPP Pang has—
Interjection.

The Vice-Chair (Mr. John Fraser): Pardon me? Sorry.

The Clerk of the Committee (Mr. Isaiah Thorning): I'm just getting the motion on the screen.

The Vice-Chair (Mr. John Fraser): We're getting the motion on the screen? Okay. Sorry. I'm just trying to move it along, you know? There we go.

MPP Pang has moved a motion. You can see it on your screen. Do we have any discussion? Are members ready to vote? All those in favour, please raise your hands. All those opposed? Motion carried.

SUBCOMMITTEE REPORTS

The Vice-Chair (Mr. John Fraser): The second item of business will be the adoption of several subcommittee reports which were distributed in advance.

We have the subcommittee report dated June 8, 2023. Could I please have a motion? MPP Holland.

Mr. Kevin Holland: I move the adoption of the subcommittee report on intended appointments dated Thursday, June 8, 2023, on the order-in-council certificate dated June 2, 2023.

The Vice-Chair (Mr. John Fraser): Any discussion? Are members ready to vote? All those in favour, please raise your hands. All those opposed? The motion is carried.

We have the subcommittee report dated June 15, 2023. Can I please have a motion? MPP Holland.

Mr. Kevin Holland: I move adoption of the subcommittee report on intended appointments dated Thursday, June 15, 2023, on the order-in-council certificate dated June 9, 2023.

The Vice-Chair (Mr. John Fraser): Any discussion? Are members ready to vote? All those in favour? All those opposed? The motion is carried.

We have the subcommittee report dated July 6, 2023. Could I please have a motion? MPP Holland.

Mr. Kevin Holland: I move adoption of the subcommittee report on intended appointments dated Thursday, July 6, 2023, on the order-in-council certificate dated June 30, 2023.

The Vice-Chair (Mr. John Fraser): Any discussion? Are members ready to vote? All those in favour? All those opposed? Motion carried.

We have the subcommittee report dated August 3, 2023. Could I please have a motion? MPP Holland.

Mr. Kevin Holland: I move adoption of the subcommittee report on intended appointments dated Thursday, August 3, 2023, on the order-in-council certificate dated June 28, 2023.

The Vice-Chair (Mr. John Fraser): Any discussion? Are members ready to vote? All those in favour? All those opposed? Motion carried.

We have the subcommittee report dated August 24, 2023. Could I please have a motion? MPP Holland.

Mr. Kevin Holland: I move adoption of the subcommittee report on intended appointments dated Thursday, August 24, 2023, on the order-in-council certificate dated August 18, 2023.

The Vice-Chair (Mr. John Fraser): Any discussion? Are members ready to vote? All those in favour? All those opposed? Motion carried.

We have the subcommittee report dated September 14, 2023. Could I please have a motion? MPP Holland.

Mr. Kevin Holland: I move adoption of the subcommittee report on intended appointments dated Thursday, September 14, 2023, on the order-in-council certificate dated September 8, 2023.

The Vice-Chair (Mr. John Fraser): Any discussion? Are members ready to vote? All those in favour? All those opposed? Motion carried.

We have the subcommittee report dated September 21, 2023. Could I please have a motion? MPP Holland.

Mr. Kevin Holland: I move adoption of the subcommittee report on intended appointments dated Thursday, September 21, 2023, on the order-in-council certificate dated September 15, 2023.

The Vice-Chair (Mr. John Fraser): Any discussion? Are members ready to vote? All those in favour? All those opposed? The motion is carried.

INTENDED APPOINTMENTS

MR. ROBERT ROCK

Review of appointment, selected by official opposition party: Robert Rock, intended appointee as member, Landlord and Tenant Board.

The Vice-Chair (Mr. John Fraser): Now we will conduct our review of the intended appointees. Our appointee today is Robert Rock, nominated as member of the Landlord and Tenant Board. Mr. Rock, you can come forward.

Mr. Rock, you may make an initial statement at your discretion. Following this, there will be questions from members of the committee. With that questioning, we will start with the government, followed by the official opposition, with 15 minutes allocated to each recognized party. Any time you take in your statement will be deducted from the time allotted to the government.

You may begin, Mr. Rock.

Mr. Robert Rock: Thank you, Mr. Vice-Chair. Good morning to all of the honourable members of the Standing Committee on Government Agencies. Thank you for inviting me to appear before you today to discuss my appointment as a part-time member for the Landlord and Tenant Board.

My name is Robert Rock. I live in the township of Scugog, and I am a municipal councillor for the township of Scugog, representing ward 3. I've had a lot of interesting roles in my life, and I'm going to outline some of my skills and experiences that I've had as I go through my opening statement.

I started out as a radio show host and, later in my life, was a TV show host for Rogers TV. A lot of my career was spent in the financial industry; I spent nearly 15 years in the financial industry, and I'll highlight a few of the interesting roles that I had. I was supervisor of a fund accounting team that was responsible for valuating the CIBC mutual funds. This was an extremely high-pressure, fast-paced environment, requiring very stringent levels of review. At the end of every day, the work that my team and I completed appeared in the newspapers—yes, I am that old; it actually went to a newspaper—as the value of the various CIBC mutual funds. Any errors that I or my team made had the potential for serious financial loss for the organization.

I was also manager of training and development for RBC Global Services. In that role, I developed complex training programs that helped new employees be prepared for their operational roles, and also for existing employees to understand changes to regulation and processes, as well as to introduce additional information.

I finished my career in business development at CIBC Mellon. In this role, I led sales-focused and demonstration-based meetings with potential clients. I oversaw the responses that were created for extremely detailed RFI and RFP documents that guided the sales process.

In all of these roles, the primary skill I believe served me best was my communication skills. This was explaining very, very technical concepts to a broad audience that included members of the public and other professionals. I think this skill is one of the key skills that will help me in the Landlord and Tenant Board, where a number of unrepresented or self-represented people may be appearing before me and need help to understand the complex process that they are facing.

Since leaving the financial industry, I have owned and managed a small consulting company that's focused on sales and digital marketing. The client base ran from small businesses looking to create potentially their first digital marketing campaign or sales programs, up to working with large organizations, where I ran a \$10-million-a-month paid advertising program for the Source. All of these interactions with the companies I've worked with have needed me to be an active listener; to understand their goals, their concerns and their desired outcomes; and for me to be able to articulate back to them a clear and concise plan that will ensure success for our engagement.

In 2020, I began to gain the requisite knowledge to work in alternative dispute resolution, and I started my training in mediation, arbitration and other aspects of ADR. I'm an associate with Families First Mediation, working as a mediator and arbitrator focusing on civil issues. In my mediation role, I'm often speaking with people who are going through some of the most challenging times of their lives. It requires me to be empathetic, understanding and completely neutral. I help facilitate difficult conversations in which someone may be speaking from a place of hurt and not from their best interests. At times, it's also essential for me to be firm and take control of a situation that has the potential to spin out of control. Each experience in ADR is unique and requires intuition to know the best and most tactful approach to help people mutually agree upon a resolution to their dispute.

Changing gears slightly, I'll talk a little bit about volunteer work. I have always been a very firm believer in volunteering and giving back to my community. As such, I've been on the board of directors for the Ajax-Pickering Board of Trade, the board of directors for Community Living Ajax-Pickering Whitby and also the board of directors for the Ajax Pickering Dolphins Football Club. I have coached youth in boxing, baseball, hockey and football. I've also led fun and innovative fundraising campaigns for Big Brothers Big Sisters, as well as for Community Living.

0910

Currently, I am the chair of Kawartha Conservation and the vice-chair of Conservation Ontario, as well as participating in several committees for the municipality of Scugog.

I believe the roles that I've outlined and the skills and experiences I have accrued during my business career

make me an extremely capable person to be on the Landlord and Tenant Board. I recognize that these roles demand several abilities, and these skills I've achieved through my professional career. I am a proven person who has the ability to listen, to be impartial and to assess and interpret legislation. I have enhanced skills in public communication, and I understand the need to communicate clearly and make thoughtful and well-reasoned decisions. My past roles have also included managing conflict and striving to seek mutually beneficial resolutions.

I sought out the appointment to the tribunal through the portal and applied to both the Landlord and Tenant Board and—we will be speaking again in a half-hour—the Licence Appeal Tribunal. This has been a very long process since I first applied earlier this year. I believe that my skills and experience have shone through—as well as merit—in the multiple interviews I've gone through, in the mock decisions I've written, as well as all of the vetting that has been done by Tribunals Ontario. All of that work has led me to be sitting in front of you here today.

I look forward to all your questions. Thank you very much.

The Vice-Chair (Mr. John Fraser): Thank you very much, Mr. Rock.

We'll begin with the government. MPP Holland.

Mr. Kevin Holland: Thank you, Mr. Rock, for both your interest in serving in this capacity, as well as being here today and sharing with us your vast résumé per se. I commend you for your community involvement and wanting to give back to your community.

You've indicated fairly extensive community service. Can you share what you have learned from your extensive engagement in the community and how it will inform your work on the Landlord and Tenant Board?

Mr. Robert Rock: I think there are several clear things that I've learned from engaging within the community. I think that it's extremely important, and I think people are extremely appreciative of the work that's given back. Some of the skills I've learned are—especially when it was in sports, there was a lot of conflict in sports. As a coach, learning to manage differing levels of expectation and differing levels of conflict is definitely a skill I've learned in my volunteer services that I think will be very important for the Landlord and Tenant Board.

In addition, as I'm currently chair of Kawartha Conservation and vice-chair of Conservation Ontario, there's the importance of being able to understand affecting legislation, how to apply it and how it may affect the organizations that I'm with.

Mr. Kevin Holland: Okay. Thank you.

The Vice-Chair (Mr. John Fraser): MPP MacLeod.

Ms. Lisa MacLeod: Thank you very much, Chair. You look great in the chair, by the way. Congratulations. I never compliment this young fellow, so he's excited about it.

Mr. Rock, I have to say, I've been elected for 18 years. I've sat on this committee as either Chair or Vice-Chair for 13 years, and it is so refreshing to see such a competent candidate come forward. There have been good candidates in front of us before, but your level of commitment to your

community is very impressive, whether it's Community Living, which is near and dear to many of our hearts, or the board of trade, which helps us immeasurably in our communities. And the fact that you admitted that you were a journalist to a group of politicians is also impressive—and, of course, to also be a politician yourself.

I really don't have any other questions other than to say that there is a lot of casework on this, and you clearly have a lot of other commitments. I guess all I would say is: Can you explain to this committee how you would balance your commitment to your community with your commitment to this particular board? How could you assist in getting that caseload moving forward, because there is quite a bit of a backlog at the moment?

Mr. Robert Rock: Sure. It's prioritization. I think it's understanding—the old saying that I always hear is if you want something done, give it to a busy person. I think that that's one of the things I always strive for. It's prioritizing. It's understanding the variety of deadlines that you have in front of you, prioritizing which ones are the most important and focusing and dedicating time. Being slightly an insomniac also doesn't hurt. Being able to get a bit more work—

Ms. Lisa MacLeod: Until you burn out.

Mr. Robert Rock: Yes. But at the end of the day, I'd be more concerned if this was a full-time role, but because it is a part-time role I'm not overextending myself. It's understanding the number of days that make sense, not taking on too many days to not be able to hit the deadlines, because the last thing that the Landlord and Tenant Board needs is for me to not be able to commit to hitting the appropriate deadlines and expectations. So it's being focused, it's being very careful with what I do and making sure that I am able to meet all of those commitments.

Ms. Lisa MacLeod: Well, I just want to say good luck. Thank you for putting your name forward. We do appreciate it in the government that you're doing this. Thank you so much for everything that you do for the province of Ontario in addition to this tribunal.

Mr. Robert Rock: Thank you.

The Vice-Chair (Mr. John Fraser): MPP Saunderson.

Mr. Brian Saunderson: Can I just get a quick time check?

The Vice-Chair (Mr. John Fraser): You've got four minutes and 24 seconds.

Mr. Brian Saunderson: Great, thank you.

Thank you, Mr. Rock. It's a pleasure to meet you and to hear about your background—your work background, your volunteer background, but also your certification as a mediator, moderator and arbitrator. My question to you is really quite simple: What are the skills that you would need to be an effective landlord and tenant tribunal arbitrator?

Mr. Robert Rock: Well, I think it's having a firm grasp of—one of the skills that I use daily as a mediator and an arbitrator is being able to manage difficult conversations, especially in an adversarial environment, being able to take in all of the information that's coming at you, being able to assess that information and apply that information

to legislation. I've done that through that work as a municipal councillor, similarly. We're constantly evaluating legislation and wondering how it best applies to work that we'll be able to do.

So I think it is skills on people management within the actual hearing itself as well as being able to interpret and apply legislation. I think those would be the two main things that I would point to.

Mr. Brian Sanderson: That's my question. Thank you.

The Vice-Chair (Mr. John Fraser): Any further questions from the government side?

Mr. Kevin Holland: How much time—

The Vice-Chair (Mr. John Fraser): Two minutes and 55 seconds. MPP McGregor.

Mr. Graham McGregor: Mr. Rock, thank you so much. I just want to echo my colleagues. You have a very impressive résumé. You do a lot of good work for our province. I appreciate you putting your name forward.

With the two minutes that we have left, are there any other elements of your résumé that you want to highlight that my colleagues didn't ask questions about?

Mr. Robert Rock: From my perspective, as I said, all of these roles—I feel as though this culminates a broad set of skills that I have accrued over my professional career as well as my volunteering career. I think it's really important to have people who are willing to give back to their community as well as having the technical knowledge to be able to do this role. I look forward to leveraging all of those skills to be able to effectively help clear cases within the time frame that I'm allotted for them.

Mr. Graham McGregor: Specifically on your background and career, could you talk a little bit about some of the professional experiences you had? I'm looking at the mediation, for example, but you have quite a lot of items on the résumé here. Can you just draw some lines for us here between what you've done and why that's going to make you an effective tribunalist?

Mr. Robert Rock: For sure. In the mediations—and I alluded to it in my opening statement—you have people in front of you who are really going through a difficult time. It's really being able to listen to them, to understand what their positions are and to help them have those conversations and figure that out. I know that that's been an extremely important element for me. It's understanding the legislation that will be backstopping some of the conversations that will be happening. How does it apply? Helping continue to prod and pull out information from people, I think, is something really key that I have found as a mediator, to ask probing questions to find out additional information. Whether it was in journalism or whether it is as a mediator or an arbitrator, it's really being able to be precise in your questioning and to be looking to open people up who may not be necessarily sharing completely and helping them understand that complex process—especially when people are unrepresented or self-represented. I think, unfortunately, TV has probably given them an idea of what a mediation or arbitration looks like, and it's not that. It should be a pretty boring process, and it should just be a conversation.

0920

One of the things in my career, as well, that I think has been extremely important is, whether it is in mediation or whether it is—

The Vice-Chair (Mr. John Fraser): Thank you very much, Mr. Rock.

We're going to move to the official opposition. MPP Begum.

Ms. Doly Begum: Good morning, everyone. Good morning, Mr. Rock—or, I should say, Councillor Rock. Thank you so much for being here. We have to say that, from the opposition, there are sometimes uncomfortable questions, but we're hoping that you'll give us answers that allow us to understand why you're looking to do this job, because it is an important position. You've been in politics as well, so you know how it works.

Also, I want to say we appreciate you coming forward, because it is an opportunity for this committee to ask those questions, which we do not always get the opportunity to do. It is disappointing when we don't have the opportunity to do that, so I appreciate you being here for both of the appointments and answering our questions.

I'll start off by asking specifically about the LTB backlog, because that is one of the biggest challenges we're facing with the LTB. I'm sure you've seen the Ombudsman report on the delays. Right now, there are over 38,000—that's as of May, so that has increased as well—who are waiting for their hearings. For some people, it takes about two years, whether it's tenants or landlords.

One of the things that I want to see is, based on your experience in dealing with mediation and being a councillor, how would you say that your background will specifically help relieve the backlog being experienced in the board right now?

Mr. Robert Rock: Well, I think my skill set allows me to do as much as I can possibly do. The way I see it, it's one more additional competent person who's capable of doing the role as an adjudicator who will be there to help alleviate the backlog. I think it's having good people who have the skills and experience to quickly go through, making sure to hit all of the deadlines and expectations that I have.

As one person, I unfortunately can only do so much. But I can efficiently deal with all of the caseload that is provided to me in a professional manner, leveraging all of the skills necessary to close cases effectively.

Ms. Doly Begum: Are there specific skills you would highlight that allow you to be impartial in dealing with landlords and tenants?

Mr. Robert Rock: I think most of my career has been about impartiality, especially as a municipal councillor. When I'm dealing with my residents, I have to be impartial, because I'm representing them and it's not about my personal feeling on an issue; it's about the community as a whole that I represent at council. From my perspective, even if it's something that I don't necessarily agree with, I still have to come to the table and be an honest broker for the feeling that I have been able to gather through community meetings as to a position that my residents would

like me to take or vote on when it comes to a particular motion.

As well, as a mediator, if you are not completely impartial, that mediation goes south fast, because people around the table will feel as though that is not an even or equal process happening, and that leads to unfortunate endings.

So I definitely lean on those two skills where I know the importance of being impartial is absolutely critical.

Ms. Doly Begum: I do have one more question. The reason we talked about impartiality is that the Landlord and Tenant Board has been criticized for prioritizing eviction and prioritizing above-guideline rent increases. Are you familiar with both of those concepts?

Mr. Robert Rock: Not being on the board, I don't know necessarily all of the challenges that will be faced by the board itself. I look forward to hearing more of that. From my perspective, as an adjudicator, I will be looking at the cases that are placed in my caseload and dealing with them fairly and honestly.

Ms. Doly Begum: How do you feel about the current priorities that are set out by the LTB?

Mr. Robert Rock: Not being a part of the board, it would be impossible for me to effectively say that. Once you're on the inside, you're trained and you understand. I'd be in a position to have a much better idea of that. Other than that, looking at it from the outside, who knows? Who knows what's true and what's not when it comes to those sorts of things; I can't prejudge that. I look forward to having the opportunity to be a part-time member and to get in and do whatever part I can to make it a smooth, painless process for people who are going through an extremely difficult time in their life.

Ms. Doly Begum: There are people, whether it's tenants or landlords—a lot of tenants. Evictions: People are out on the streets. Those are really tough decisions that you will have to make. You will have to know the guidelines, and you will have to know the priorities that have been set already and the biases that exist. The Ombudsman has made a lot of recommendations; I hope you will take a look at those because those will be very important.

People are also struggling when it comes to the fact that they can't keep up with their mortgages, they can't keep up with not having an income—if it is an elderly woman relying on that basement income, for example. There are a lot of complicacies in this. A lot of people can't face above-guideline rent increases. That means that's it for them.

You'll have a lot of work to do as soon as you get started, which is why my next question is, how would you be able to balance your existing commitments as councillor, arbitrator and mediator at Families First Mediation with your part-time appointments in the LTB? It's quite a lot on your plate.

Mr. Robert Rock: Yes, as I said, it's prioritization and knowing what deadlines you're faced with. Yes, absolutely, they're busy and they're juggling a lot of hats. But the great thing is, when it comes to municipal council, most of the meetings happen on a particular day. That just means

I know, as a part-time member, I can't put myself in the queue for that day. It's making smart choices.

When it comes to Families First Mediation, again, it's making smart choices. I work for myself. I simply don't take on a caseload that I can't possibly keep up if I know I have many days. If I'm on two days a week or three days a week with the Landlord and Tenant Board, I know I have to choose wisely when it comes to the additional caseload.

The great thing is, again, when you work for yourself and when you're working with the public, it's not necessarily during business hours. Most of those meetings tend to be in the evening or on weekends because people are at work and they don't really have time to come to a mediation or arbitration meeting, even if it's by Zoom.

Again, to me, it's prioritization; it's focus; it's understanding the deadlines I'm facing and making responsible choices.

Ms. Doly Begum: Mr. Chair, how much time do I have?

The Vice-Chair (Mr. John Fraser): You have seven minutes and 25 seconds.

Ms. Doly Begum: I'll continue with a few more uncomfortable questions. Have you been a part of any political parties?

Mr. Robert Rock: I have been part of several political parties.

Ms. Doly Begum: Do you mind listing them?

Mr. Robert Rock: Over the course of my life, I've been a member of the Conservative Party and I've been a member of the Liberal Party.

Ms. Lisa MacLeod: Doly, if you play your cards right, he may follow you.

Laughter.

Ms. Doly Begum: Can you tell us if you've sought the nomination prior to this or before becoming a councillor? Were you seeking a nomination, or are you seeking a nomination right now?

Mr. Robert Rock: I'm not seeking a nomination. I expressed interest in seeking a nomination, but I never got to a point of ever being a candidate.

Ms. Doly Begum: If you do seek a nomination or if there is a conflict of interest, would you be making sure that you resign from this appointment?

Mr. Robert Rock: I absolutely would have to—those are the rules—if I were to ever do that in the future. To be quite honest, if that was still on my radar, I wouldn't be sitting in front of you today, because of that.

Ms. Doly Begum: Thank you very much, Mr. Rock.

The Vice-Chair (Mr. John Fraser): MPP Pasma.

Ms. Chandra Pasma: Thank you so much for being here. I'm coughing a bit this morning; it's asthma. It's not COVID. I'm not spreading anything to anybody.

I'm going to be a little bit more pointed than Doly. You recently expressed an interest in the nomination for the federal Conservative Party. That's a party where the leader recently called the home of a tenant in Ontario a "shack." Do you think that your interest in that nomination could provide any concern to tenants in Ontario that they may not receive a fair hearing from you?

0930

Mr. Graham McGregor: Point of order. Just pursuant to standing order 25(b), I believe the member is directing their speech to matters outside of the question here. I don't think political affiliations or being a member of a political party has any bearing on what you do.

The Vice-Chair (Mr. John Fraser): The line of questioning is fair. Thank you very much, MPP McGregor.

Go ahead.

Mr. Robert Rock: Sorry, could you repeat the question, please?

Ms. Chandra Pasma: You sought the nomination or expressed an interest in the nomination for the federal Conservatives. The leader of the federal Conservative Party recently called the home of a tenant in Ontario a "shack." Do you think that interest in the nomination will provide concern to tenants in Ontario that they may not receive a fair hearing from you?

Mr. Robert Rock: I don't believe so, in any way, shape or form.

Leaders of parties express their views on things. As a member of the party, you agree with something a leader has said or you don't. I'm sure that that's a common experience everyone has, that they don't agree with necessarily everything that a leader of a party says.

From my perspective, I know that every day when I go to work I have to be neutral and impartial to effectively do my job. To me, whatever the leader of the party may or may not have said about a particular issue wouldn't affect what I do on any day that I'm doing the work for the Landlord and Tenant Board.

Ms. Chandra Pasma: Do you feel that seeking that nomination may have given you contacts that have assisted you in seeking these appointments today?

Mr. Robert Rock: No, not at all, to be honest.

As I said, expressing an interest and exploring it is very different than being a candidate. Having conversations and being interested in doing that, I—it never rose to the level of me actually being a candidate. It was interesting conversation.

Ms. Chandra Pasma: Okay. Are you a landlord?

Mr. Robert Rock: I am not.

Ms. Chandra Pasma: Have you ever been a landlord?

Mr. Robert Rock: No.

Ms. Chandra Pasma: Okay. One of the concerns that we hear from a lot of tenants is that the Landlord and Tenant Board has been holding most appointments virtually. There is a very big difference in access to Internet or reliable Internet connections between landlords and tenants. That has been significantly disadvantaging tenants in being able to actually participate in hearings. It has been inhibiting the capacity of advocates for tenants to participate in hearings. I hear this from Community Legal Services of Ottawa, that it makes it very difficult for them to show up on behalf of their clients. Do you have concerns about the fact that most hearings are currently being conducted virtually and that advocates in Ontario have raised concerns that although, in theory, people are allowed to

ask for an in-person hearing, in reality, those requests are being consistently denied?

Mr. Robert Rock: Again, when it comes to my role in this, it will be managing the caseloads. When it comes to decisions around hearings, much smarter people than I will be making those decisions. I would be focused on the work of the caseload that I would have in that role.

Ms. Chandra Pasma: But what will you do as the adjudicator if you have concerns that a tenant in a hearing that you are conducting may not have equitable access or that their advocates aren't able to participate in the meeting?

Mr. Robert Rock: Once I'm a member of the board, I would understand the infrastructure. Not being a member of the board, I don't know how I would do that escalation at this point. I'm sure understanding that those escalation points of having those internal conversations would be something that I would learn as I go through the training and understand that better. At this point, I unfortunately can't give you a straight answer on that because I'm not a member and I don't know what those escalation points would be.

Ms. Chandra Pasma: I'm going to conclude with some quick, uncomfortable but, I think, necessary questions to get on the record. Are you currently a member of the Progressive Conservative Party of Ontario?

Mr. Robert Rock: I am.

Ms. Chandra Pasma: How long have you been a member?

Mr. Robert Rock: Six months.

Ms. Chandra Pasma: Have you made any donations to the Progressive Conservative Party of Ontario?

Mr. Robert Rock: Not that I'm aware of.

Ms. Chandra Pasma: Okay. How long were you a member of the Conservative Party federally?

Mr. Robert Rock: Five months.

Ms. Chandra Pasma: Have you donated to the federal Conservatives?

Mr. Robert Rock: I have not.

Ms. Chandra Pasma: Have you volunteered on a Progressive Conservative campaign in Ontario?

Mr. Robert Rock: Years ago, I have, yes. I have also done the same thing for Liberal candidates in the past. For me, it's an issue of the best candidate, not always the party.

Ms. Chandra Pasma: Well the Chair, I'm sure, might have some questions—if he could—about what Liberal candidate, but I'm more interested in the Progressive Conservative candidate. Whose campaign did you volunteer for?

Mr. Robert Rock: Some time ago, I helped a federal Conservative candidate during their election—who is no longer an MP.

Ms. Chandra Pasma: Did anyone ask you to apply for this position?

Mr. Robert Rock: Absolutely not.

Ms. Chandra Pasma: Have you ever sat at the Premier's table at a family wedding?

Mr. Robert Rock: No, I have not.

Ms. Chandra Pasma: Okay, thank you.

The Vice-Chair (Mr. John Fraser): Thank you very much, MPP Pasma.

MR. ROBERT ROCK

Review of intended appointment, selected by official opposition party: Robert Rock, intended appointee as member, Licence Appeal Tribunal.

The Vice-Chair (Mr. John Fraser): We will now move to our second appointee, Mr. Robert Rock, nominated as a member of the Licence Appeal Tribunal.

Mr. Robert Rock: Do I spin my chair?

The Vice-Chair (Mr. John Fraser): No, you don't have to spin your chair.

I'll just go through this quickly. Again, you may make an initial statement at your discretion. Following this, there will be questions—

Interjections.

The Vice-Chair (Mr. John Fraser): I can't hear myself, thank you—questions from the members of the committee. With that questioning, we will start with the government followed by the official opposition for 15 minutes, allocated to each recognized party. Any time you take in your statement, again, will be taken away from the government's time. You may proceed, Mr. Rock.

Mr. Robert Rock: I will not bore everybody by going through my opening statement again. I guess that just means everyone will have more time to grill me with questions.

The Vice-Chair (Mr. John Fraser): We'll start with the government. MPP Holland.

Mr. Kevin Holland: Quick question: What motivated you to apply for these positions? Are these the only ones that you have applied to?

Mr. Robert Rock: No, I believe I applied to one other one. At the time, taking a look at the positions that were in the portal earlier this year when I was looking to make a move to participating in tribunals, I took a look at the tribunals that I thought carried a level of personal interest or carried a level of impact in the community. Definitely, a positive impact to the community was for sure one of the reasons I was interested in the Landlord and Tenant Board.

But when it comes to the Licence Appeal Tribunal—you know, just personal interest. I think the very wide scope of cases that are heard by the Licence Appeal Tribunal is very interesting. Definitely, since AABS have been added to the LAT, personally, it just makes it more interesting to me. You know pretty much that every day you're doing a hearing with the Licence Appeal Tribunal is completely different from the day before. To me, it was just a personal interest of getting a very wide scope of experiences as part of that board.

Mr. Kevin Holland: I just want to end it with a statement. I appreciate your comments on your impartiality. Being a former mayor of my community for 31 years, I fully understand how important it is to be—

Ms. Lisa MacLeod: Were you elected when you were five?

Mr. Kevin Holland: Pretty much.

So I really appreciate your comments around that. You know, during my time on council, I also served under several governments of different political stripes, even the NDP at one point. I appreciate those comments, and I'll pass my time on.

The Vice-Chair (Mr. John Fraser): Any other comments from the government's side? MPP Gallagher Murphy.

M^{me} Dawn Gallagher Murphy: Thank you, Chair. Thank you, Mr. Rock, for being here today and thank you for putting your name forward.

You have quite the variety of work experience. As well, what I've noticed is you've worked a lot with businesses. I do like the aspect of your volunteering. That tells me a lot more about you and your ability to communicate with everyday people.

When I think about the Licence Appeal Tribunal, you will probably be dealing with a lot of businesses, maybe some individuals. My question to you would be, how is all of this previous work experience going to prepare you to be fair and impartial to whoever is put before you?

0940

Mr. Robert Rock: Yes, as I have touched on earlier, it's just something, from my perspective, that's integral to my personality. I have always striven to deal with people impartially and to take people as they are, whether it's working with an individual—when I was running my consulting company, sometimes the company I was dealing with was one person and they were looking for help. They were looking to grow. They were looking to expand. To be able to do that, they can't wear all hats all the time, so alleviating some of the pressure on them by helping to develop a marketing plan or a sales plan was just giving them the ability to expand, giving them the ability to reach more people—or, if it's a large organization, understanding what the goals of that are.

All of this previous experience, I think, gives me the ability to assess a situation and deal with it fairly and in a balanced approach, because I've seen from large to small and, you know, all of those situations are similar when you boil them down to what's happening. I think if you're open-minded, honest, and fair, you can assess the situation much more clearly.

M^{me} Dawn Gallagher Murphy: Thank you very much, Mr. Rock. Again, all the best to you.

The Vice-Chair (Mr. John Fraser): Any further questions from the government? Okay. We're good.

We'll move to the official opposition. MPP Begum, please.

Ms. Doly Begum: Thank you very much, Chair. Good morning again, Mr. Rock.

I want to understand, and I know you've spoken a little bit about it as well: What is your motivation behind—I know you talked about the LTB. It's two different part-time positions now, on top of the other responsibilities that you have on your plate. What is the motivation behind wanting to be part of the LAT?

Mr. Robert Rock: As I alluded to, for me, it's personal interest. I think it's an extremely fascinating tribunal just

because of the wide variety of cases that the Licence Appeal Tribunal hears. As I said, with the addition of the Automobile Accident Benefits Service, it's just such a wide and interesting array of cases. Spending a lot of time on CanLII going through the cases, it's, like I said, almost infinitely fascinating. It supplies a wide variety of cases and a lot of interesting topics.

To me, that was one of the motivations for selecting the Licence Appeal Tribunal in particular, because of that. As I mentioned earlier, when it comes to the Landlord and Tenant Board, to me, it was the highest potential impact from a board that I could select to be able to have a positive impact in the province.

Ms. Doly Begum: Thank you very much. In your view, what is the responsibility of a member of the Licence Appeal Tribunal?

Mr. Robert Rock: As an adjudicator, it's hearing cases in a fair and impartial way, assessing the information that's placed in front of me, reviewing and researching the applicable legislation attached to that, and making informed decisions.

Ms. Doly Begum: And that leads me to my next question, which is: Just recently, there was an incident which came forward in the news, a case where a member ruled against something in one of the cases from a 2017 insurance claim. Because of the damages, it was taken further to court. Especially after this Conservative government made significant cuts to legal aid, a lot of people don't have the ability to get the support they need when they need legal advice, so you'll have a really big responsibility in making sure that people have the fair judgment, if I may call it that, when they come forward in any tribunal. So when it comes to that, do you feel that you have the knowledge that's necessary to be part of the appeal tribunal?

Mr. Robert Rock: Well, I definitely think I come to the table with a fair bit of knowledge. I also know and look forward to the fact that the Landlord and Tenant Board and the Licence Appeal Tribunal both have extensive training programs that will add a whole other level of skill set for me. I'm a very avid learner. I've been a continuous learner over my life. As I said, I'm very excited for the training that I'm going to receive to be able to be as best equipped as possible to deal with that.

As I mentioned in my opening statement, I think one of the skill sets that has always done right by me is the ability to communicate. When unrepresented or self-represented people are in front of me, I think being able to parse down potentially very complex processes or a lot of legal jargon into plain English to help them to understand and to educate them, especially, say, through a pre-hearing, to provide them that information and education of the process that they will be facing, I think that that helps them to be successful, to have a better experience through the process. So, definitely, I think my communication skills in that regard will help, the skills that I have currently and the skills I'll get through training, all combined together to, I believe, make me successful in this role.

Ms. Doly Begum: Thank you very much. I know that you haven't seen what goes on inside because you haven't

been appointed to those roles yet, for LTB or LAT. But if I were to give you a scenario of what happens right now when we talk about, let's say, online hearings and the lack of information: Someone who is dealing with a really grave situation comes forward and they don't have the ability to really represent themselves in the best way possible or they don't have the resources or the capabilities to understand what's going on. Based on what you know is happening across the province, especially post-COVID, especially with the lack of access to justice and the delay in justice, what are some of the recommendations you would make? As a public representative and as someone who has been dealing with mediation, what are some of the recommendations you would make to make sure that justice is accessible?

Mr. Robert Rock: I would love to have a very pointed answer for you. In reality, to me, that wouldn't be the role necessarily that I would be fulfilling, and far smarter people than I would be making some of those decisions on the recommendations to improve access to justice. What I can control and what I am going to be focused on is creating the best environment possible for the people I will be hearing. As I alluded to in the earlier question, if there are escalation processes, if I feel as though someone is potentially not being best served by the process as it stands, that will be for me to learn on how to appropriately deal with that. Right now, I can't speak to what tools I would have in my tool box to address that, but I know, from my commitment and dealing with everyone fairly and honestly, I would do whatever I can if I saw that situation arise with whatever tools I had available.

Ms. Doly Begum: Thank you very much. Just to follow up on that, there are a lot of people who don't even know how to operate Zoom. We have continued on with certain hearings to take place online, which has made it very difficult for a lot of people to get justice, because they do not have the ability. So someone is calling their 10-year-old grandchild to be able to assist them with what's happening with their hearing, which may result in something like eviction, as we talked about before—or the fact that they're in an automobile crash. These kinds of situations really call for you to actually assess what's happening in those moments as well.

Can I have a commitment from you to be able to assess those situations and highlight that when necessary? Because that is something that won't come forward unless someone like yourself has the ability to highlight that, to raise that issue, because that individual who is stuck behind the screen won't be able to do it for us, because they're already having a really hard time being able to get justice and figuring out the Zoom button, for example. So is there a commitment from you to highlight some of those—

Mr. Robert Rock: As I said, I always approach every situation in trying to see the best in people and to treat them fairly and honestly. If I have any influence on being able to ensure that the people I'll be dealing with are having the best possible experience, I will absolutely advocate for that. As I said, I can't guarantee as to what

form that will be because, again, I don't know. I understand that the challenges of technologies—my mother may or may not be watching because she may or may not have figured out how to work the link; my in-laws may or may not be watching because they may or may not have been able to understand how to use the link. I get it: Technology is not easy.

0950

I have a lot of elderly residents in my riding and they were challenged, through COVID, in being able to participate in council meetings. So I understand entirely the technical pressures that someone may face to simply understand how to gain access to Zoom or to use Zoom, those sorts of things. I can appreciate that.

As I said, whatever I am able to do to make someone comfortable and to make someone feel as though they're able to participate to the fullest will be absolutely something that I will try to guarantee.

Ms. Doly Begum: Thank you very much. I'll pass it on to my colleague.

The Vice-Chair (Mr. John Fraser): MPP Pasma.

Ms. Chandra Pasma: How much time do I have, Chair?

The Vice-Chair (Mr. John Fraser): You have five minutes and 30 seconds.

Ms. Chandra Pasma: Okay. Thank you.

The Licence Appeal Tribunal has come under fire recently from the Ontario Trial Lawyers Association with serious allegations of conflict of interest. It has been reported that there have been adjudicators who have made decisions that favour insurance companies and have then accepted employment with those insurance companies, or have already accepted an offer without disclosing it and then made decisions that are favourable to the company that they have sought employment with.

As a member of the Licence Appeal Tribunal, how are you going to address these conflict-of-interest allegations and ensure that the tribunal is above any allegation of conflict of interest?

Mr. Robert Rock: Well, from my perspective, I would be able to control myself and my caseload. In taking a look at the cases that would be before me in the licence appeal, I have no conflict of interest with any of those areas, so it's not something, immediately, that jumps out at me as any potential conflict of interest.

But in my life as a municipal councillor, I understand completely the importance of conflict of interest and recusing oneself from a situation that is inappropriate. If anything in either the board or the tribunal were ever in front of me in which there is even a potential for conflict of interest, I would seek guidance as to whether it did rise to the level of conflict of interest, and if it did, I would recuse myself.

Ms. Chandra Pasma: Do you have concerns that your connections to the Progressive Conservative Party of Ontario and the federal Conservative Party of Canada could be viewed by people who are participating in the License Appeal Tribunal as a conflict of interest?

Mr. Robert Rock: I don't.

Ms. Chandra Pasma: Okay.

The Licence Appeal Tribunal is another of the many boards and tribunals in Ontario that are experiencing long wait times and delays. So far this year, the Licence Appeal Tribunal is falling behind their targets in a variety of areas, including decisions to be issued within 90 calendar days from the conclusion of the hearing—less than two thirds are being issued within 90 days. The number of percentage of cases decided within the 12-month case life cycle: only 69% are being decided. The percentage of cases that are being resolved through alternative dispute resolution: the target is 80% and the actual percentage is 45%.

What are you going to do to help the Licence Appeal Tribunal actually meet their targets?

Mr. Robert Rock: Well, I can speak to my personal targets. So any of the personal targets that I'm set out in rendering judgments are something that I would be able to control and be able to hit. I am a person who is very focused on completing things in appropriate time frames because I feel as though the people that would be before me deserve that. That's what they're there for. So anything that I would take on would be within the time frames that have been laid in front of me to render those decisions.

Ms. Chandra Pasma: I do have concerns, though, that given what's on your plate—being a councillor is not a small job, many of your volunteer commitments aren't tiny, you've also put your name forward for the Landlord and Tenant Board—if your intent here is to only take on what you can take on and actually meet the targets, then it means that you won't actually be able to take on very much at the Licence Appeal Tribunal and that your appointment then is not actually helping to address lengthy wait times and delays at the tribunal.

How are you going to make sure that you're carrying your fair share and meeting the target timelines?

Mr. Robert Rock: Well, the way I prioritize and organize—I feel, between the two appointments, that I would be looking at being able to dedicate at least three to four days a week. It would be my target. So as a part-time member, I'd be looking to maximize the time that I'm making available. As I said, most of my other commitments are in the evening or on weekends. So, to me, those things don't always necessarily overlap. On paper, it looks as though there may be large conflicts when it comes to timing. In reality, as I said, most of those are in off-business hours. When events are happening or council is happening, those all tend to be after-hours. Most of my committee work tends to be in the evening. So I won't necessarily butt up against having four things in my calendar that are all happening at the same time.

Ms. Chandra Pasma: Okay. Thank you.

No further questions, Chair.

The Vice-Chair (Mr. John Fraser): Thank you very much, MPP Pasma.

Thank you very much, Mr. Rock. I appreciate your presentation. Feel free to be able to stay. We're finished with you right now. We'll be moving forward with your intended appointment here. Thank you.

Concurrence: We will now consider the intended appointment of Robert Rock, nominated as member of the Landlord and Tenant Board.

MPP Holland.

Mr. Kevin Holland: I move concurrence in the intended appointment of Robert Rock, nominated as member of the Landlord and Tenant Board.

The Vice-Chair (Mr. John Fraser): Concurrence in the appointment has been moved by Mr. Holland. Is there any discussion? Are members ready to vote? All those in favour? All those opposed? The motion is carried.

Number two: We will now consider the intended appointment of Robert Rock, nominated as member of the Licence Appeal Tribunal.

MPP Holland.

Mr. Kevin Holland: I move concurrence in the intended appointment of Robert Rock, nominated as member of the Licence Appeal Tribunal.

The Vice-Chair (Mr. John Fraser): Concurrence in the appointment has been moved by Mr. Holland. Do we have any discussion? Are members ready to vote? All those in favour? All those opposed? Carried.

Congratulations, Mr. Rock. Thank you very much for being here.

That concludes our business for today. The committee now stands adjourned.

The committee adjourned at 0958.

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