

2011
ANNUAL REPORT

Untying the deadlocks



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Please note that this English translation takes into account instructions received from the *Office québécois de la langue française* which require that titles and names of boroughs, departments, paramunicipal agencies and City-controlled corporations be written in French, even in the English version.



April 16, 2012

Mr. Harout Chitilian
Chairman of the City Council of Ville de Montréal
275, Notre-Dame East, suite R-134
Montréal (Québec) H2Y 1C6

RE: Annual Report of the OMBUDSMAN DE MONTRÉAL for 2011
"Untying the deadlocks"

Mr. Chairman,

It is my pleasure to submit to all the members of the City Council, the Annual Report of the **OMBUDSMAN DE MONTRÉAL** for the year 2011.

"Untying the deadlocks": there is no better way to describe what my team and I do every day to settle disputes between Ville de Montréal and citizens.

Through its interventions and Recommendations, the **OMBUDSMAN DE MONTRÉAL** contributes to the continuous improvement of municipal management and procedures, in all of the boroughs and departments. We also ensure that the commitments of the *Montréal Charter of Rights and Responsibilities* are respected, at all levels of the municipal process.

Our impartiality and complete independence remain essential elements of the confidence of citizens in the services we provide and, consequently, for the municipal administration. The collaboration of the managers is usually acquired and our results are extremely positive.

In 2011, we handled 1363 complaints and led 207 thorough investigations. 55 of the new 2011 files challenged undertakings of the *Montréal Charter of Rights and Responsibilities*.

I remain at the City Council's disposal to answer any question or provide any additional information it deems relevant.

Trusting that the whole will be to your entire satisfaction, I remain,

Yours truly,

Johanne Savard, Ombudsman of Ville de Montréal

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equity



PART I

MESSAGE FROM THE OMBUDSMAN

Albert Einstein claimed that "*genius is the ability to make the complicated simple*". To those who share this point of view, I respectfully submit that at the **OMBUDSMAN DE MONTRÉAL**, my team truly has "genius".

Whether analyzing and understanding the complaints we receive, making relevant information available and drafted in clear language, simplifying Ville de Montréal's procedures and decision making processes or promoting principles of sound management, our interventions contribute daily to the efficiency and credibility of the municipal administration.

We identify problems and, mostly, we find efficient solutions and corrective measures that are also likely to have a preventive effect on future cases.

In a context where throughout the world, governments are all confronted to major challenges such as: limited financial resources; massive retirements and loss of expertise; increased expectations in matters of transparency and accountability; and a general lack of trust, the presence of an independent and impartial Ombudsman reassures the public and helps enhance the positive image of the entity within which it operates.

Rigor, Justice and Transparency are at the heart of all of our activities. We are ardent promoters of mutual **respect** between the public administration and the citizens and of an irreproachable **ethical** behaviour, on every level.

For citizens, the intervention and investigation powers of the **OMBUDSMAN DE MONTRÉAL** are a **guarantee of quality and of equity** in the decisions and actions of Ville de Montréal: those who use our services appreciate having access to such a recourse.

The **OMBUDSMAN DE MONTRÉAL** team is made up of competent and devoted professionals whose rigor, expertise and desire to contribute to the improvement of municipal services are also appreciated by most of managers who recognize the relevance of our interventions and collaborate well.



Ms. Johanne Savard

Despite eight years of existence, the **OMBUDSMAN DE MONTRÉAL** remains too little known.

Two surveys conducted in November 2011, with Montrealers and municipal employees, confirmed that although the people who know our services greatly appreciate them, our office remains too largely unknown.

SUMMARY RESULTS OF THESE SURVEYS

With City employees:

- The independence of our office towards municipal management and elected officials is generally well known.
- The great majority of respondents consider our office as a very useful institution that they would wholeheartedly recommend to their friends and family.
- They mention, however, that they receive very little information on the OdM in their workplace; rather it is the media that is the primary means by which they know of our activities.

With citizens:

- Many citizens are unaware of our office.
- More than 80% of those who know of the OdM's existence, however, believe that we are very useful.
- The 18-24 age group is the one that knows us most.

- Citizens of 55 years old and over are those who are least aware of our existence and our role, but they would like to know more.
- The Internet and related modes of communication are mentioned as the preferred ways to receive information on our office.

SOME OF THE THINGS WE DID TO MAKE OUR OFFICE BETTER KNOWN, IN 2011

- Our project on Conciliation and Mediation, on the **OMBUDSMAN DE MONTRÉAL** and on the *Montréal Charter of Rights and Responsibilities*, that elementary school teachers use reached **475 students**, in 2011;
- We have prepared an **all new Blog** to be launched at the beginning of 2012;
- We have completely rebuilt our **Website** in order to make it more modern, user-friendly and interesting;

- We have prepared our entrance on **Social Networks**, starting in 2012.

On my part, I was elected on the Board of Directors of two organizations of ombudsmans: the *Forum of Canadian Ombudsmans* and the *Association des Ombudsmans et Médiateurs de la Francophonie*. Our involvement and our activities within these organizations will contribute to make the model institution that is the **OMBUDSMAN DE MONTRÉAL** better known, nationally and internationally, while also promoting the creation of similar independent and credible institutions.

In years to come, we will continue to innovate to reach as many citizens as possible.

CASES HANDLED

Some complaint topics remain the same but, over the years, more and more complex cases are submitted to our office, many of which relate to undertakings contained in the *Montréal Charter of Rights and Responsibilities*.

For example, in 2011, we handled complex cases regarding the sanitation of dwellings.

We initiate more investigations ourselves, in light of information obtained through means other than a formal complaint.

We intervene on the merit of the complaints but also, more and more, in regards to **procedural fairness** as it is essential to the trust of citizens.

We are developing valuable collaborations with an increasing amount of external organizations whose field of expertise includes topics over which we can intervene.

All the efforts we display have one goal: to extend our knowledge and maximize the positive impact of our interventions, to the benefit of as many citizens as possible.

The information you will find in the following pages will be a good demonstration of this. Our data is mostly presented in the form of Charts that we briefly comment. Additional Charts are also available on our Website at ombudsmantemontreal.com under the heading *Publications*. A table of contents of these Charts is included in Addendum D.

I hope you enjoy this Report.



The OMBUDSMAN DE MONTRÉAL team, 2011

CITIZENS' TESTIMONIALS

"...Thank you for your precious help without which this project would have never succeeded..."

"...The way you handled this file was quite remarkable..."

respect

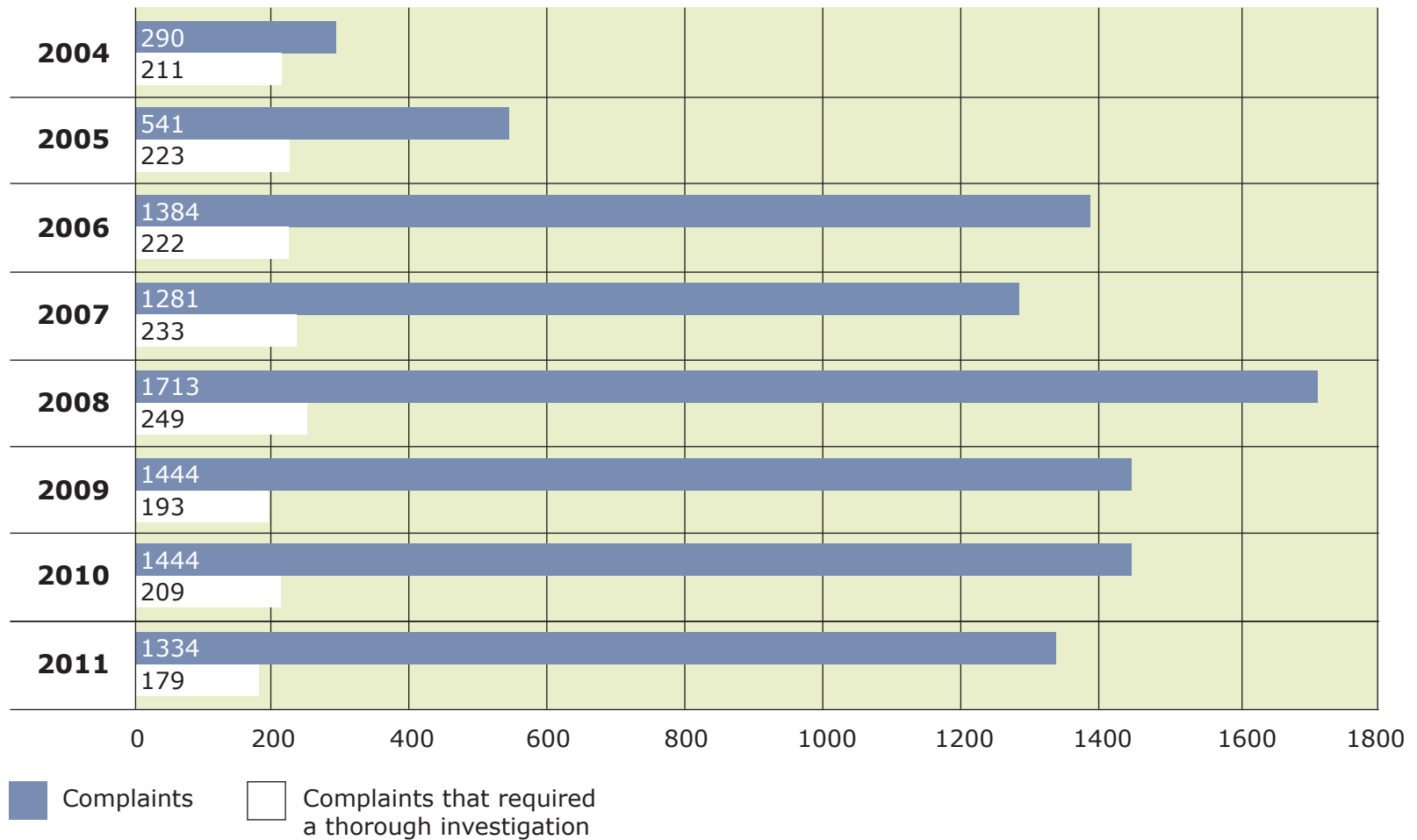


PART II

FILES HANDLED IN 2011, ALL FILES COMBINED

For some years now, the number of files we handle annually has been pretty stable, between 1250 and 1500.

EVOLUTION – NUMBER OF REQUESTS RECEIVED - FROM 2004 TO 2011



NUMBER OF CASES HANDLED IN 2011

- **1363** files were handled by the **OMBUDSMAN DE MONTRÉAL**, in 2011 namely:
 - **1334** new complaints; and
 - **29** continuations of previous investigations.
- **28** investigations were initiated by the Ombudsman, **21** of which in 2011. These cases regarded, namely:
 - Sanitation of dwellings;
 - Evictions;
 - Policies for the allocation of reserved parking spaces for handicapped people;
 - Policies governing the transfer of alleys to neighbouring residents;
 - The quality and clarity of information given to citizens;
 - The application or non-enforcement of municipal By-laws;
 - Operating procedures and the quality of customer department in boroughs, municipal departments and paramunicipal agencies.

THOROUGH INVESTIGATIONS IN 2011

- **207 (15.19%)** cases were the object of a thorough investigation.
- As of December 31st, 2011, **171** of these cases were closed and **36**, still pending.
- Of the 171 investigations completed:
 - **79** complaints were deemed well-founded; **4** were withdrawn during the investigation process; **2** were closed following a lack of collaboration or the refusal of the suggested settlement, by the plaintiff; **5** were redirected to the borough or to the department concerned during the investigation, at the request of its director; **6** were rejected after investigation; **1** file had to be closed following a decision from elected officials during the investigation process; **68** were ill-founded. A follow-up on previously subscribed undertakings was done in **6** cases: in **2** of these cases, the undertakings had not been respected.
 - **75** of the **79** well-founded complaints were settled amicably, either completely (**66**) or with undertakings (**9**); **4** formal **RECOMMENDATIONS** were issued: **3** were accepted and **1** was refused.

For all of the details,
SEE CHART R1 – ADDENDUM C

MOST FREQUENT TOPICS OF COMPLAINTS CONCERNING VILLE DE MONTRÉAL, IN 2011

• Municipal court (functioning)	105
• Social housing / HLM / Housing subsidies	100
• Conduct of an employee	69
• Permits	53
• Road works / Public works	51
• Parking / SRRR / Vignettes	47
• Noise	38
• Application of By-laws	34
• Evaluation / Real estate tax	33
• Pounds / Storage of furniture	31
• Public health (others)	29
• Traffic	28
• Aqueduct / Sewer	26

For more information on the nature of the complaints submitted and the results obtained see CHARTS R2 and R3 – ADDENDUM C

BOROUGHES MOST OFTEN THE SUBJECT OF A COMPLAINT, IN 2011

- Le Plateau-Mont-Royal **67**
- Ville-Marie **61**
- Côte-des-Neiges–
Notre-Dame-de-Grâce **52**
- Rosemont–La Petite-Patrie **51**
- Mercier–Hochelaga-Maisonneuve **45**

For more information,
see CHART R4 – ADDENDUM C

CENTRAL DEPARTMENTS MOST OFTEN THE SUBJECT OF A COMPLAINT, IN 2011

- Affaires juridiques et évaluation foncière including **128** - Direction des affaires pénales et criminelles and **48** - Affaires juridiques **195**
- Service de police de la Ville de Montréal including **57** - Direction des opérations policières and **34** - Section des agents de stationnement **100**
- Développement et opérations including **18** - Direction de l'habitation **36**
- Finances including **30** - Direction des revenus et de la fiscalité **33**

For more information,
see CHART R5 – ADDENDUM C

PARAMUNICIPAL AGENCIES, CITY-CONTROLLED CORPORATIONS AND OTHER CITY RELATED ORGANIZATIONS MOST OFTEN THE SUBJECT OF A COMPLAINT, IN 2011

- Office municipal d'habitation de Montréal (OMHM) **101**
- Société de transport de Montréal (STM) ⁽¹⁾ **19**
- Société d'habitation et de développement de Montréal (SHDM) **11**

For more information,
see CHART R6 – ADDENDUM C

COMPLAINTS AGAINST POLITICAL ENTITIES, IN 2011

- City Council **9**
- Agglomeration Council ⁽²⁾ **5**
- Executive Committee **1**
- Mayor's office **1**

see CHART R7 – ADDENDUM C

AVERAGE PROCESSING TIME, IN 2011

- Our average processing time, all complaints combined including Charter files, was of **4.63** working days (as opposed to 7.12 days in 2010).
- In **91.97%** of cases, the plaintiff received a final response within one (1) month.
- When a thorough investigation was required, the average processing time was of **25.77** working days (as opposed to 41.62 days in 2010).
- **42.45%** of thorough investigations were completed within one (1) month or less and **65.36%**, in two (2) months or less.
- We should mention, however, that the **33** cases still pending as of December 31st, 2011 are not taken into consideration in the calculation of the average processing time: some of these files have been open for many months.
- Worth of mention: for the second consecutive year, there was **no** thorough investigation with regard to Arrondissement de Saint-Léonard.

see CHART R8 – ADDENDUM C

(1) The OdM does not have jurisdiction with regard to the STM: in all of these cases, we refer the citizen to the STM.

(2) The OdM does not have jurisdiction over the Agglomeration Council.

TOPICS COVERED IN MORE THAN ONE THOROUGH INVESTIGATION, IN 2011

- Social housing / HLM / Housing subsidies **28**
- Noise **11**
- Traffic **9**
- Communications **9**
- Applications of By-laws **8**
- Pounds / Storage of furniture **8**
- Permits **8**
- Municipal court (functioning) **7**
- Parking / SRRR / Vignettes **6**
- Subsidies, other than housing **6**
- Tax (other than real estate) **5**
- Conduct of an employee **4**
- Garbage / Recycling **4**
- Evaluation / Real estate tax **4**
- Nuisances **4**
- Road works / Public works **4**
- Zoning / Urban planning / Exemption **4**
- Animal **3**
- Parks and Green spaces **3**
- Public health (others) **3**
- Aqueduct / Sewer **2**
- Fire / Public safety **2**
- Handicapped person **2**
- Cleanliness **2**
- Alley **2**
- Public health (mold) **2**
- Sports and Leisures **2**

MODES OF SUBMISSION OF COMPLAINTS, IN 2011

The phone remains, by far, the most popular method for lodging a complaint to our office (65.29%).

MODES OF SUBMISSION OF COMPLAINTS

All files combined

MODE	NUMBER IN 2011	%	NUMBER IN 2010	%
In person	130	9.75	138	9.56
By E-mail	196	14.69	178	12.33
By mail	85	6.37	77	5.33
By fax	31	2.32	39	2.7
By phone	871	65.29	996	68.98
Inquiries initiated by the OdM	21	1.57	16	1.11
TOTAL	1334	100%	1444	100%

PLAINTIFFS' PROFILE, IN 2011

The demographic information regarding plaintiffs is given to us on a voluntary basis. Nevertheless, the information gathered remains a good indication of the citizens we serve.

- **55.59%** of our plaintiffs were men, as opposed to **44.41%**, of women.
- **61.99%** of plaintiffs were of Canadian origin whereas **30.61%** declared themselves of Ethnocultural origin.
- **80.96%** were Francophones and **19.04%** Anglophones.
- **13.18%** identified themselves as a visible minority.
- The largest age group, when known, is **51-64**.

For more details, see CHART R9 - ADDENDUM C

EXAMPLES OF CASES HANDLED IN 2011, EXCLUDING CHARTER FILES

1. DAMAGED LANDSCAPING DURING MUNICIPAL WORKS THE BOROUGH COMPENSATED THE CITIZENS

Citizens' landscaping suffered substantial damages during works on the aqueduct system.

The owners submit that, at the time, an employee of Arrondissement de Côte-des-Neiges-Notre-Dame-de-Grâce had assured them that their property would be repaired by the borough. After many months of follow-ups, however, the borough told them to do the repairs themselves and to subsequently submit a claim to the City, which they did.

The *Bureau des réclamations* (Claims office), rejected the claim because it had been submitted after the expiry of the time limit: the delays for suing the City are, indeed, very short. This right to sue had already expired when the citizens received the information that they had to do the work themselves and then, submit their claim.

Our investigation revealed that **shortly after** the completion of the municipal works, the borough adopted a new procedure in virtue of which citizens are now systematically informed, in writing, of the procedure to follow, if their property is damaged during City works. The new documents clearly states that

the City will not do the repairs and that citizens must submit a claim to Ville de Montréal's Claims office with an estimate of the costs, within 15 working days following the date on which the damages were caused.

However, this policy was not in effect at the time of events. Moreover, in the present case, the plaintiffs' version of events appeared credible, both to the OdM and to the borough.

The borough accepted, therefore, to compensate these citizens. Which was done, to their satisfaction.

2. DESTRUCTION OF PERSONAL PROPERTY STORED BY THE CITY COMPENSATION AND NEW PROCEDURE

At the time of a citizen's eviction by a bailiff, Arrondissement de Mercier-Hochelaga-Maisonneuve took over her furniture and personal belongings.

The same day, this citizen was admitted to the hospital: she was, therefore, unable to deal with the recovery of her stored property. Near the end of the usual storage period, a social worker from the hospital contacted the borough to ask for an extension of this period. However, her message remained unanswered and the citizen's property was destroyed.

During our investigation, it was impossible to determine accurately what really happened. The borough recognized, however, having received a voice mail message from the social worker.

It also agreed that there was reason to modify its procedure: from this moment on, every time a request is submitted in the days prior to the expiration of the storage period of an evicted person's property, the borough immediately informs the storage facility not to dispose or destroy this property. This should prevent a reoccurrence of situations such as the plaintiff's.

In the present case, the citizen claimed a financial compensation for the loss of her property: we put her in contact with the *Bureau des réclamations* (Claims Office) which, after analysis, offered compensation.

3. TRANSFER OF A MUNICIPAL ALLEY TO ITS BORDERING RESIDENTS FAIRNESS QUESTIONED

The City plans to transfer a municipal alley to all of its bordering residents (half of them owning property fronting street X and, the other half, on street Y).

A citizen deemed the situation unfair because, according to him, this alley had been formed from pieces of land that

used to belong to owners of street X, who had been forced to transfer them to the City, in 1965: in his opinion, therefore, all the alley should only be offered to the owners of street X.

Our investigation showed that the City had acquired these lots **before** any residential land was sold to citizens, to build their homes. Over time, owners had encroached on this alley with different installations or constructions, but these encroachments were illegal and did not confer any ownership or acquired right.

Thus, the OdM concluded that the City could apply its usual procedure for alley transfers as provided in *Addendum C* of the *Charter of Ville de Montréal*, i.e., offering the alley to all the bordering owners, in equity.

4. CONVERTING A COMMERCIAL BUILDING INTO A RESIDENTIAL BUILDING THE OMBUDSMAN HELPS TO UNTIE A DEADLOCK

A citizen plans to acquire a two-storey commercial building and to convert it into a residential duplex: she would rent the ground floor and live on the top floor. Before purchasing, she inquired with Arrondissement de Montréal-Nord about the feasibility of this project. The borough would have reassured her that this change in use was possible.

The citizen submits that, since her acquisition of the building, the borough's information and requirements have changed many times and she was finally told that the planned modification would not be authorized, considering the applicable By-laws.

The citizen withdrew her *Request for change of use* and the borough refunded the \$1,000 fee she had paid in this regard. She then addressed the matter to the Ombudsman.

Our investigation cannot confirm that the borough's employees had given the citizen assurance that the desired conversion would be authorized. Rather, our discussions with the plaintiff and our verifications with the borough indicate that she would have been informed that the conversion had to be authorized by the Borough Council, that she had to submit a Request to that effect and that there were no guarantees of approval.

In light of this information and of the fact that the cost of reviewing her file were refunded to her, we could not conclude that she had been prejudiced.

Our investigation revealed, however, that the current By-laws allowed this citizen to live on the top floor of the building: we discussed with the borough, which following an inspection, issued a *Transformation/Renovation permit* and officially recognized the second storey dwelling. Thus, the citizen was able to move to the second floor, as she had hoped.

Following our intervention, the borough also recognized acquired rights allowing this citizen to keep a section of the building that the borough had previously asked her to demolish.

EVOLUTION OF PREVIOUS FILES

5. DENIAL OF A STREET ADDRESS FOR A STUDIO *THE BOROUGH RECONSIDERS ITS INTERPRETATION*

A citizen is complaining of the refusal of Arrondissement d'Ahuntsic-Cartierville to grant him a street address for a studio apartment he set up in his home's basement, for the purpose of renting it.

The borough refused this request because the citizen's property does not offer enough space to create an additional parking space.

Following our intervention, the borough reviewed the file, revised its interpretation of its regulations and concluded that the citizen could set up a dwelling in his residence's basement, without having to add a new parking space.

A *Transformation permit* was therefore issued for this studio apartment and the citizen was also granted a street address.

6. FOLLOW-UP PROCEDURE OF TAX REIMBURSEMENT CHEQUES THAT ARE NOT CASHED IN *A MAJOR IMPACT*

Since the Service des finances has put a new ***Follow-up Policy on real estate tax reimbursement cheques that are not cashed in*** by citizens, at our request, approximately **950 tax payers** have finally received the tax reimbursement they were entitled to, but had never received for all sorts of reasons, such as a change of address during the contestation process.

The *Service des finances* now receives an up-date of the expired cheques in the month that follows their expiration date. The average time for reissuing a new cheque is 3 months except during periods of massive collection of tax bills, when the delay can go up to approximately 4 months.

This procedure and these delays seem quite reasonable to us.

7. MUNICIPAL PARKING LESS THAN FIVE METERS FROM A FIRE HYDRANT *DOUBLE STANDARD*

In 2009, the **OMBUDSMAN DE MONTRÉAL** questioned the fact that, in Montréal, many parking spaces equipped with parking meters were implemented in an area where, had the space not been a paying parking, parking tickets would have been issued for parking too close to a fire hydrant.

The City then undertook to work with the Government of Québec in order to have the *Highway Safety Code* modified.

During our follow-ups of 2010 and 2011, the City confirmed that the discussions were still ongoing but that no implementation date could be confirmed.

Faced with this situation, we initiated new discussions with the concerned Department in order to explore other options that could possibly settle the problem of inequity, without having to wait for a provincial legislative change.

We continue to monitor this file closely.

8. RESTRICTED ACCESS TO THE CRIMINAL RECORDS OF DEFENDANTS WHICH WERE FOUND NOT GUILTY OR WHOSE CHARGES WERE DROPPED
RECENT STATISTICS

At the insistence of the OdM, the Municipal Court finally accepted, in May 2005, to implement a new procedure allowing people who were found not guilty or whose charges were dropped to request that their criminal record no longer be accessible to the public, after a certain amount of time.

Such a measure seemed necessary to ensure the equal treatment of these people who found themselves less protected than those who had been found guilty but had subsequently obtained a "pardon".

The number of people who benefit annually from this procedure is considerable.

NUMBER OF CASES PROCESSED UNDER THE PROCEDURE OF RESTRICTING ACCESS TO THE INFORMATION CONTAINED IN THE COMPUTERIZED RECORDS OF VILLE DE MONTRÉAL'S MUNICIPAL COURT IN CRIMINAL MATTERS (YEARS 2010-2011)

	2011	2010
Requests granted	662	553
Requests denied	120	187
Total number of requests	782	740

collaboration



PART III

THE MONTRÉAL CHARTER OF RIGHTS AND RESPONSIBILITIES

The *Montréal Charter of Rights and Responsibilities*, “the Charter”, came into effect January 1st, 2006.

In it, the City states many undertakings that bind all managers and elected officials of Ville de Montréal, as much in the central administration as in the boroughs.

It specifies the rights and responsibilities of citizens in regards to different aspects of democratic life, social and economic life, cultural life, recreation, sports and physical activities, environment and sustainable development, safety, and the quality of municipal services, in Montréal.

The **OMBUDSMAN DE MONTRÉAL** offers the only recourse available to ensure the respect of this Charter: we can process the complaints of citizens or intervene on our own initiative.

When an undertaking from this Charter is in question, the **OMBUDSMAN DE MONTRÉAL** can even intervene and investigate decisions that were voted by the Borough Council, the Executive Committee or the City Council.

MAIN UNDERTAKINGS CONTAINED IN THE CHARTER

The undertakings contained in the Charter relates namely to:

- Democracy and public participation;
- Sufficiency and clarity of the information offered to citizens;
- Better representation within municipal institutions;
- Equality between women and men;
- Inclusion and Non-discrimination;
- Environment and Recycling;
- Sustainable Development;
- Protection of the built patrimony, the cultural patrimony and the natural patrimony;
- Safety, notably of women;
- Universal access;
- Access to recreational activities, to culture and to libraries;
- Evolution of services.

AMENDMENTS TO THE CHARTER

A first Public Consultation on the *Montréal Charter of Rights and Responsibilities* was held by the Office de consultation publique de Montréal, in 2010, and the **OMBUDSMAN DE MONTRÉAL** participated actively thereto.

Following this Consultation, some amendments were adopted, in 2011, to specify and reinforce important values. To the

undertakings already provided since 2006, the City added, namely, commitments to:

- Supporting appropriate communication practices;
- Encouraging citizen participation and supporting public budget processes;
- Better promoting the rights stated in this Charter;
- Fighting racial and social profiling as well as xenophobia and “ageism”;
- Supporting measures to improve the social and economic life of communities and prevent poverty and social exclusion;
- Promoting its network of municipal museums;
- Promoting an active lifestyle;
- Promoting “valorization”;
- Encouraging the improvement of air quality and the increase of cool areas;
- Encouraging active and collective modes of transportation;
- Preserving biodiversity in parks and green spaces;
- Encouraging a responsible management of resources, including water;
- Taking into account the evolution of knowledge in sustainable development;
- Promoting universal access in buildings as well as in communications, programs and services.

CHARTER FILES HANDLED IN 2011

In 2011, we investigated in **55** Charter files, which represents **30.71%** of all of our investigation files.

A. EVOLUTION OF THE NUMBER OF CHARTER INVESTIGATIONS, YEARLY

	2006	2007	2008	2009	2010	2011	TOTAL
Number of Charter investigations per year	33	40	40	38	66	55	272

B. PROPORTION OF CHARTER INVESTIGATIONS OVER ALL ODM INVESTIGATIONS, PER YEAR

	2006	2007	2008	2009	2010	2011	TOTAL
Number of Charter investigations per year	33	40	40	38	66	55	272
Total number of investigation files for the OdM per year	222	233	249	193	209	179	1285
%	14.86	17.17	16.06	19.69	31.58	30.71	21.17

Sometimes, complaints submitted “under the Charter” do not really challenge the undertakings that it contains. In these cases, we continue our investigation in virtue of our general mandate and according to our usual criteria, namely: legality, ethics, reasonableness, non-arbitrary nature, justice and equity of the challenged municipal situation.

Of the **55** Charter files processed in 2011, some challenged more than one specific undertaking of the Charter. For this reason, the total number of Charter files that appears on certain Statistics Charts may vary.

- **26** files concerned the environment and sustainable development, including **10** complaints regarding excessive noise;
- **11** files concerned the quality of municipal services, including **2** files regarding handicapped citizens;
- **11** complaints related to safety issues;
- **5** requests concerned social and economic life;
- **3** files were related to democratic life; and
- **1** file related to recreation, physical activity and sports.

This data includes **6 files initiated by the Ombudsman** that related, namely, to the following topics:

- Sanitation of dwellings;
- Quality and clarity of the information given to citizens
- The application or the non-enforcement of municipal By-laws;
- Operating procedures and the quality of customer service in boroughs, municipal departments and paramunicipal agencies.

For more details, see CHART R10 - ADDENDUM C

For more details on the number of files under specific provisions of the Charter, including the information on the results and processing time, see CHART R11 - ADDENDUM C

BOROUGHES SUBJECT TO CHARTER COMPLAINTS, IN 2011

- Ahuntsic-Cartierville **7**
- Côte-des-Neiges-Notre-Dame-de-Grâce **5**
- Rosemont-La Petite-Patrie **5**
- Le Sud-Ouest **4**
- Ville-Marie **4**
- Lachine **3**
- Mercier-Hochelaga-Maisonneuve **3**
- LaSalle **2**
- Pierrefonds-Roxboro **2**
- Rivière-des-Prairies-Pointe-aux-Trembles **2**

- Verdun **2**
- Villeray-Saint-Michel-Parc-Extension **2**
- Anjou **1**
- L’Île-Bizard-Sainte-Geneviève **1**
- Montréal-Nord **1**
- Outremont **1**

CENTRAL DEPARTMENTS SUBJECT TO CHARTER COMPLAINTS, IN 2011

- Direction générale (Direction du greffe) **1**
- Développement et opérations (Direction de l’environnement et du développement durable) **1**
- Développement et opérations (Direction des grands parcs et du verdissement) **1**
- Développement et opérations (Direction des transports) **1**
- Sécurité incendie de Montréal **1**

PARAMUNICIPAL AGENCY SUBJECT TO CHARTER COMPLAINTS, IN 2011

- Office municipal d’habitation de Montréal (OMHM) **6**

POLITICAL ENTITY SUBJECT TO A CHARTER COMPLAINT, IN 2011

- City Council

For more details on the concerned entities, see CHART R12 - ADDENDUM C

1

AVERAGE PROCESSING TIME OF CHARTER COMPLAINTS, IN 2011

Charter files are often more complex: therefore, their processing time is often longer. In 2011, the average processing time of Charter files was of **31.53** working days (71.58 days in 2010).

This average processing time does not take into consideration the 13 Charter files still pending as of December 31st, 2011.

CHARTER FILES FINAL RESPONSE PERIOD

	1 to 2 working days	5 working days	10 working days	1 month	2 months	3 months	4 months	5 months or more	Files still pending as of January 1, 2012	TOTAL	AVERAGE DELAY in working days
2009	2	0	0	8	9	9	6	4	0	38	47.37
%	5.26	0	0	21.05	23.68	23.68	15.79	10.53	0	100%	DAYS
2010	2	1	1	12	13	9	7	18	3	66	71.58
%	3.03	1.52	1.52	18.18	19.7	13.64	10.61	27.27	4.55	100%	DAYS
2011	1	3	4	6	14	8	3	3	13	55	31.53
%	1.82	5.45	7.27	10.91	25.45	14.55	5.45	5.45	23.64	100%	DAYS

N.B.: Considering the low number of files falling under the Montréal Charter of Rights and Responsibilities by entity, we did not consider it important to precise the final response delay for each entity.

PLAINTIFFS' PROFILE – CHARTER FILES, IN 2011

Among the **55** files handled, **6** were initiated by the Ombudsman. Therefore, the following data regards only the **49** requests that were submitted to us by citizens.

PLAINTIFFS' DEMOGRAPHIC DATA CHARTER FILES

A. GENDER

GENDER	NUMBER	%
Female	16	32.65
Male	33	67.35
TOTAL	49	100%

B. LANGUAGE

LANGUAGE	NUMBER	%
French	43	87.76
English	6	12.24
TOTAL	49	100%

C. AGE GROUP

AGE GROUP	NUMBER	%
Under 18	0	0
18-25	0	0
26-40	9	18.37
41-50	8	16.33
51-64	10	20.41
65 +	7	14.29
Unknown	15	30.61
TOTAL	49	100%

D. ORIGIN

ORIGIN	NUMBER	%
Ethnocultural	13	26.53
Canadian	36	73.47
TOTAL	49	100%

E. DETAILS OF THE DECLARED ETHNOCULTURAL ORIGINS

ORIGIN	NUMBER	%
Australian	2	15.38
French	2	15.38
Italian	1	7.69
Jewish	1	7.69
Peruvian	1	7.69
Declared ethnocultural but not specified	6	46.15
TOTAL	13	100

F. VISIBLE MINORITY

VISIBLE MINORITY	NUMBER	%
Yes	4	8.16
No	45	91.82
TOTAL	49	100%

G. DETAILS OF THE DECLARED VISIBLE MINORITIES

VISIBLE MINORITY	NUMBER	%
Arabic	3	75
Latin-American	1	25
TOTAL	4	100%

EXAMPLES OF CHARTER FILES WE HANDLED, IN 2011

9. PRESENCE OF RATS - OMHM BUILDING ACTION, RESOLUTION AND PREVENTION

A citizen living in an HLM with her three teenagers complained about the presence of rats in her dwelling. She deemed the OMHM's interventions insufficient and solicited our intervention, to resolve the situation.

The OMHM recognized the severity of the situation: approximately thirty rats were captured and many sanitation problems were noted (dead rats, excrements, foul smells, flies).

Following our intervention, the family was temporarily relocated to another dwelling. The OMHM heightened its inspections and the frequency of treatments: additional fumigation tests were done.

Our office pursued its interventions to ensure the decontamination and repairs of the dwelling before it is rented to someone else: the plaintiff has requested and been granted the permission to remain in the dwelling that had been temporarily allocated to her.

The OMHM improves its procedures

In light of our observations, we suggested to the OMHM that it improves its care, coordination, management and follow-up procedures on rodent control.

The OMHM centralized the management of all such files with its Sanitation Unit (Unité de salubrité), starting February 1st, 2012. This Unit, which was already ensuring the control of bedbugs and cockroaches, will also be responsible for managing the control of rats, mice and ants, in all of the OMHM buildings.

In addition, the procedures of the Sanitation Unit are under review: this exercise will include the adoption of clear procedures in relation to its new responsibilities for pest and rodent control.

10. SANITATION OF DWELLINGS - MOLD IN A RENTAL PROPERTY CONCERNED BY THE SERIOUSNESS OF THE SITUATION, THE OMBUDSMAN INTERVENES

In section 18 a) of the *Montréal Charter of Rights and Responsibilities*, Ville de Montréal undertook to:

"take appropriate measures to ensure that housing meets public health and safety standards..."

The **OMBUDSMAN DE MONTRÉAL** is responsible to ensure the respect of this undertaking.

In February 2011, the media reported major mold problems in a private property with 29 dwellings where many occupants had developed health problems. The Ombudsman felt particularly concerned by the allegations that these tenants were still living in the building, under the same conditions, despite the intervention of the Direction de la santé publique, three months earlier.

The Ombudsman, therefore, intervened with Arrondissement de Côte-des-Neiges-Notre-Dame-de-Grâce in order to understand the file and inquired as to the steps taken by the borough: she requested explanations regarding how the borough was managing the fungal contamination as well as the specific delays and interventions that were taken in this file.

The borough managers favorably welcomed her intervention and collaborated well. Some tenants whose health was threatened had already been relocated. *Notices* were issued to the owners, ordering him to rectify the unhealthy situation.

Our office conducted a tour of the building, with representatives from the borough and communicated with the Direction de la santé publique to get the pulse on the situation and its developments.

This investigation is still ongoing.

We are paying close attention to certain

important points, namely, the respect of the **Order** that was issued by the borough **to not relet the vacant dwellings** of the building, as long as the necessary corrections are not made to the satisfaction of the Direction de la santé publique. Indeed, we must avoid that future tenants be exposed to the same situation and risks.

We will report our final conclusions in the next Annual Report.

11. PUBLIC CONSULTATION IN A BOROUGH IMPROVING THE PROCESS

A citizen complained about the way a Public Consultation was conducted by Arrondissement de Pierrefonds-Roxboro and submitted that many undertakings stated in the *Montréal Charter of Rights and Responsibilities* (MCRR) were not respected.

We analyzed this complaint in light of various parameters, such as: the legislative, statutory and other applicable frameworks; the comments and recommendations issued by the *Office de consultation publique de Montréal* after a Public Consultation involving Arrondissement de Pierrefonds-Roxboro; and the good practices generally recognized with regard to public consultations.

Following our investigation, we issued numerous comments and ideas for improvement to the borough which welcomed them all. Here are the basics:

a) Scope of the Consultation

The global project for the review of all urban planning By-laws included many projects of zoning change. At the end of the process, sixty zoning changes were adopted as part of this global project, while eleven such projects were excluded. In our opinion:

- The borough's decision to exclude these eleven zoning change projects from the global project was appropriate in light of the importance of this type of changes for the residents of the areas affected;
- However, more zoning change projects should have been excluded from the global project i.e. all of those likely to have an impact on the immediate environment of the residents;
- Such an approach would have been more consistent with the spirit and the letter of the *Act Respecting Land Use Planning and Development* and of section 16 of the MCRR;

b) Quality of the information put at the disposal of citizens

In section 16 of the MCRR, Ville de Montréal undertakes to encourage and promote citizen participation by providing citizens "**useful information stated in a clear language**".

Moreover, Ville de Montréal's Public Consultation and Participation Policy states that Ville de Montréal should: "**before any consultation, produce and communicate complete, objective, relevant, user-friendly and accessible information on the policy, the project or the program that is the subject of the consultation**".

(Our emphasis)

Considering this framework, we submitted to the borough:

- That it would have been appropriate for the borough to provide the citizens, from the beginning, with a simplification document explaining, in a clear language, the main directions of this global project, as well as the most important changes suggested;
- That this document should have clearly informed the citizens of every zoning change project integrated in the general remodel, as well as of the relevant procedures to challenge them.

- That in order to properly inform citizens and encourage public participation, the borough should have made available more quickly, from the beginning, and at the same time as the draft By-laws, the documents explaining the projects regarding zoning and, more particularly, its documents entitled *Zoning change – Annotated plan and explanatory chart – Zoning change*.

c) Clarity of the information

The final draft of the proposed By-laws to be submitted to the Borough Council, for its approval, were put on the borough's Website with a note stating: "*The present document is a preliminary version of the By-law (...)*". This created confusion for citizens. The projects should have been identified as the final version, in view of their adoption.

d) Accessibility of the information

All of the documents regarding this Consultation, including the modifications brought during the process, should have been put at the disposal of the public on the borough's Website **and** in all of the service points where the initial documentation had been made available, namely: the borough's office and 2 libraries (Pierrefonds and Roxboro). This was not the case for some documents.

The Minutes produced following the 2 *Public assemblies* and the Chart summarizing the Open House activities were never put at the disposal of citizens. We believe these documents should have been made accessible, in the 3 service points.

e) Accessibility of the Public Consultation process

Citizens who wanted to submit written comments could not hand-in handwritten documents: this requirement may have had an exclusionary effect.

Despite the constraints that can arise from reading handwritten documents, a more inclusive approach should have prevailed: the borough should have accepted Memoirs and comments of citizens that were not typed, with the condition that they be easily readable.

Results

The borough confirmed that these suggestions and comments for the improvement of the processes would be implemented, for all future Public Consultations. This positive reaction is very much in line with the approach advocated by our office, namely the continuous improvement of the procedures and processes of the municipal administration.

The plaintiff was satisfied with the results.

12. PARKING SPACE RESERVED FOR HANDICAPPED PEOPLE CHOICE OF LOCATION

A citizen complained about the fact that a parking space reserved for a handicapped person was set up in front of her residence: this would be prejudicial to her business located on the ground floor. She requested that this parking space be moved in front of the residence of the handicapped person who requested this parking space.

The mechanism used by the neighbour to gain access to his vehicle with his wheelchair is located behind the said vehicle: a clearance zone of at least 2 meters is therefore required, for the deployment of the system and the wheelchair access.

If the reserved parking space was in front of this neighbour's residence, it would be necessary to encroach on a second parking space to offer the required clearance. As for the chosen location, in front of the plaintiff's residence, it is at the end of the street: therefore, there is enough space behind it, without having to encroach on a second parking space.

Considering the scarceness of street parking spaces for all citizens, Arrondissement de Rosemont – La Petite-Patrie's decision, that limit the impact of this set-up to only one parking space, seems justified.

13. ZONING CHANGE DISPUTE TRANSPARENCY AND CITIZEN PARTICIPATION

A citizen is challenging a zoning change regarding 5^e avenue Nord, adopted by Arrondissement de Pierrefonds-Roxboro, despite opposition from the area's citizens.

Prior to this modification, the construction of 5 to 8-storey buildings was permitted on this street: with the new zoning, only buildings of 3-storey or less are allowed.

This zoning change was first presented in the *By-law Project 1047-214* which, like all zoning changes, was subject to the referendum approval procedure. A sufficient number of citizens having requested it, the borough had to open a Registry on this project and, according to the results obtained, possibly hold a referendum.

However, these same zoning modifications were included in another, more general By-law project, the *By-law project CA29 0040*, which contained many zoning changes. The number of citizens who signed the Registry relating thereto was insufficient and, consequently, the borough was not required to hold a referendum: it therefore adopted this project.

Considering that the zoning change they were concerned about had been subject to a specific By-law project which had been rejected, the plaintiff and her

neighbours felt cheated: they challenged the fact that the same project had been reintroduced in a much larger By-law project (*CA29 0040*) which was finally adopted.

Following our investigation, we agreed that the process surrounding this zoning change should not have unfolded this way.

Arrondissement de Pierrefonds-Roxboro recognized its error and confirmed its willingness to restore the old zoning regulations providing, however, that it was truly the wish of the majority of the residents concerned. It found, indeed, surprising that citizens would want to restore a zoning permitting the construction of 5 to 8-storey buildings whereas the new regulations only allows 3-storey buildings. Consequently, citizens were asked to demonstrate such generalized willingness.

At first glance, our office agreed that the new rules seem less likely to cause drawbacks for the neighbourhood (sunlight, parking, traffic, etc.): the borough's approach, therefore, appeared reasonable.

14. SANITATION AND NOISE PROBLEMS IN A COURTYARD MEDIATION AND UNDERTAKINGS THAT PAY OFF

A citizen is complaining of uncleanliness and foul smells in a courtyard, adjacent to an alley bordering his residence, in Arrondissement d'Outremont. This courtyard is located behind three restaurants which deposit their waste in containers, as well as recyclables, in wheeled bins.

The citizen is also complaining about the noise resulting from bottles being thrown in the recycling bins.

The problem is more acute during the Summer, due to the hot weather and the increased number of customers.

Following our mediation with the citizen, the borough and the restaurant owners, mitigation measures are strengthened and new measures are implemented for the Summer of 2011. The borough undertakes to increase its supervision and the inspection team will make almost daily visits.

In the Fall of 2011, the citizen confirms that the general uncleanliness problem is almost completely resolved and that, despite some oversights, there was a good improvement in the noise problem, during the deposit of bottles. The borough also confirms that the situation has improved.

However, a question still remains.

Indeed, the borough had authorized one of the restaurant owners to acquire a **freezer** to store its waste, while the By-law on waste collection and collection of recyclable and re-usable materials requires the presence of a **cold room**.

This interpretation appears questionable and unlikely to achieve the purposes intended by this requirement.

Questioned on this issue, the borough explained that the obligation to have a cold room would pose a problem, when the business' surface is insufficient. The borough also informs us of its intention to review the concerned By-law.

We are continuing our follow-ups in this file, namely to ensure that the chosen position respects the City's obligations, including its clear undertaking from the *Montréal Charter of Rights and Responsibilities*, to:

"(...) taking measures (...) to control (abusive irritants) stemming from dumping garbage (...)"

15. ILLEGAL DUMPING OF GARBAGE THE BOROUGH INTERVENES – GREAT IMPROVEMENT

A citizen complained about a recurring problem of illegal dumping of garbage by neighbouring residents, in front of her Bed and Breakfast. This problem was continuing despite her many complaints to Arrondissement de Ville-Marie.

Following our intervention, the borough took many steps toward finding a solution. It increased its surveillance of the area and its inspectors searched garbage bags in order to identify offenders. A citizen was personally challenged.

In parallel with this increased surveillance, the borough distributed a letter explaining the objective and requirements of the By-law concerning good citizenship, respect and cleanliness to the residents of this area.

All these actions paid off and the plaintiff noted a major improvement. The borough will maintain an assiduous surveillance of the area, for some time, and thereafter, on an *as needed* basis.

16. NOISE NUISANCE TRANSFER OF FILE: NO FOLLOW-UP

In section 24 g) of the *Montréal Charter of Rights and Responsibilities*, Ville de Montréal undertakes to:

"taking measures to reduce abusive irritants resulting from noise..."

A citizen is complaining about excessive noise coming from a heat pump running all year round.

His complaint was initially handled by Arrondissement Le Plateau-Mont-Royal whose noise control team used to handle noise complaints for many of Montréal's boroughs. This investigation confirms that the maximum noise levels are exceeded: a *Notice* is, therefore, issued to the business owning the heat pump, requesting that its remedies the situation.

In 2011, following administrative changes, Arrondissement Le Plateau-Mont-Royal no longer serves the other boroughs for noise complaint management. The citizen's file is, therefore, transferred to his borough, Arrondissement de Rivière-des-Prairies-Pointe-aux-Trembles, which does not follow up.

The citizen addresses his complaint to the Ombudsman.

Following our intervention, the file is reopened. The neighbouring business is collaborating and work is done. The citizen confirms that the excessive noise problem is resolved.

17. FOLLOW-UP OF CITIZENS' COMPLAINTS *BETTER DOCUMENTATION TO BETTER INFORM*

A citizen complained about a persistent noise problem, when passing over a broken catch-basin cover, near his residence. He claimed to be greatly inconvenienced by this noise, particularly at night.

The citizen mentioned that he had, fruitlessly, complained many times at the Accès Montréal Office (BAM) of Arrondissement de Ville-Marie.

Following our intervention, the borough replaced the catch-basin cover. Thus, the noise problem was solved.

On the other hand, our office also looked at the way this file had been handled.

Our investigation confirmed that the citizen had submitted 8 requests to the BAM, regarding this problem, but never got any information on the processing of his request or on the development of the file. Among other things, we noted that the **Computerized tracking statement** of his requests did not specify the nature of the interventions made by the borough's employees, to address the problem.

The borough director sent a *Memo* to all of his employees requesting that they describe in a more precise manner, in each file, the nature of their interventions so BAM employees can better inform citizens when they call back for information.

The **OMBUDSMAN DE MONTRÉAL** will follow up in 2012, to verify the compliance with this directive and its impact.

EVOLUTION OF PREVIOUS CHARTER FILES

18. TERRACE NOISE BORIS BISTRO

The management of excessive noise files are proving to be very difficult, when the offender chooses not to collaborate.

For several years, many *Statements of Offence* for excessive noise were issued to the owner of this terrace by Arrondissement de Ville-Marie. However, only one of these files was brought to trial.

We should mention that, once a *Statement* is issued, what happens next is no longer dependant on the borough, but rest on the prosecutors of the Municipal Court.

In the one file that was argued, the Court should render judgment in the Spring of 2012.

The conclusions and arguments retained by the Court will have an important impact on our direction and future actions, in this file.

19. NON-COMPLIANCE OF AN ACCESS ROAD - OLYMPIC VILLAGE CORRECTIONS REQUIRED BY THE SIM

As part of our 2010 investigations, the Service de sécurité incendie de Montréal (SIM) inspected an access road located behind the Olympic Village and issued

a *Non Compliance Notice* in which it required the following correctives:

1. Maintain the access road to a width of at least 6 meters to allow the passage of emergency vehicles, by moving the street furniture located in the western part of the access road.
2. Equip the building with fire hydrants to ensure that all of the fire hose connectors are no more than 45 meters clear of them.

These correctives had not been brought in 2010: our office, therefore, followed up in 2011.

The corrections required to the access road had been made.

As for the addition of fire hydrants, the SIM confirms that the situation is in the process of being resolved. Our office will make a last follow-up, in 2012, to ensure that the remaining corrections are implemented.

20. STREET PARKING LOWERING THE PAYMENT TERMINALS

Since 2007, following an investigation we conducted, the Société en commandite Stationnement de Montréal (SCSDM) proceeds to the gradual lowering of its street parking payment terminals, to

enable people who are short or in a wheelchair to use them more easily.

In 2011, 25 additional terminals were so lowered by 40 mm, for a total of approximately 475 lowered terminals, since our intervention.

Payment by smart phone

A smart phone payment system was also supposed to be implemented by the SCSDM, in 2011. This project was pushed, but its launch is now planned for the Summer of 2012.

21. CONFUSING FORM THE BOROUGH REDRAFTS IT

In 2009, our office **RECOMMENDED** to Arrondissement de Côte-des-Neiges-Notre-Dame-de-Grâce to cancel a bill relating to a *Temporary Occupancy of Public Domain permit* and to refund the fees a citizen had paid for this permit, since the wording of the form was confusing.

The borough shared our point of view and refunded the citizen. Moreover, it undertook to modify the wording of the said form.

This form was finally modified in 2011, and the borough also incorporated other changes it deemed appropriate.

ADDENDA

belonging



ADDENDUM A

THE OMBUDSMAN DE MONTRÉAL IN A NUTSHELL

The **OMBUDSMAN DE MONTRÉAL** is a non-political and impartial entity, independent from the municipal administration and elected officials, responsible for ensuring that citizens receive the municipal services and advantages they are entitled to and are treated fairly, with justice and respect, by all City representatives. This independence gives the **OMBUDSMAN DE MONTRÉAL** its credibility with citizens.

The **OMBUDSMAN DE MONTRÉAL** has broad investigation powers. Managers and City representatives must cooperate to our investigations and provide all of the information or documents we request.

Except as needed for the purpose of our investigations, the personal information given to the **OMBUDSMAN DE MONTRÉAL** are protected and no other person has access to it.

The Ombudsman can recommend any measure she deems appropriate. These recommendations are generally accepted and implemented by City representatives.

The Ombudsman must respect the laws but she is not bound by the City's customary practices. Her interventions often allow the review and the update of certain practices that have been in effect for many years.

The **OMBUDSMAN DE MONTRÉAL** is a **last resort**. Citizens who request her intervention must have previously given the Director of the concerned borough or department, an opportunity to resolve the issue.

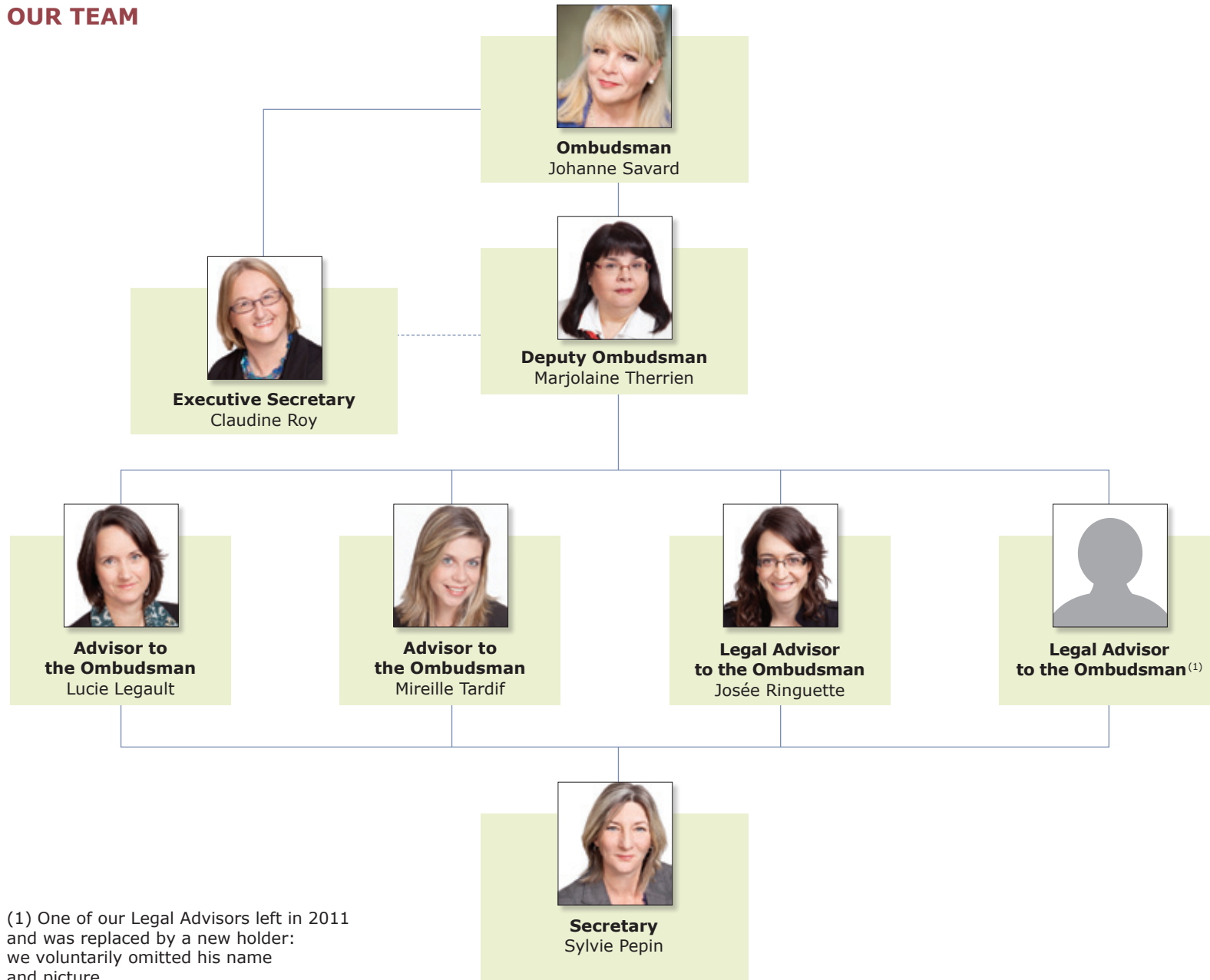
The recourse to the Ombudsman is easily **accessible, fast, efficient** and **free**.

Our offices are located on the ground floor of Ville de Montréal City Hall, a few steps away from Champ-de-Mars metro station. The building is accessible to people with reduced mobility via the Place Vauquelin entrance, in front of Place Jacques-Cartier.

For more information on our mandate, values, mission, logo and complaint procedures, you can consult our **PROMOTING RESPECT; ENSURING EQUITY** brochure, available in paper format or on our Website.

ADDENDUM B

OUR TEAM



(1) One of our Legal Advisors left in 2011 and was replaced by a new holder: we voluntarily omitted his name and picture.

MS. JOHANNE SAVARD

TRAINING AND PROFESSIONAL EXPERIENCE

Following her studies in Political Science at Concordia University, Ms. Savard obtained her law degree from Université de Montréal. She has been a member of the Québec and Canadian Bars since 1980.

Ms. Savard has completed numerous trainings in public management at École nationale d'administration publique de Montréal (ENAP) and she is also a "Certified Mediator" recognized by the Québec Bar Association, the *Institut de Médiation et d'Arbitrage du Québec* and by the *ADR Institute of Canada*.

For many years, Ms. Savard was group leader and member of the Board of Directors of a major law firm and member of the Board of Directors and of the Executive Committee of the world's largest international association of independent law firms, *Lex Mundi*.

In 2003, Ms. Savard left the private practice of law and became the first Ombudsman of Ville de Montréal. Along with her team, she since offers a last resort recourse that is simple, easily accessible and free to citizens who believe they have been treated unfairly by Ville de Montréal. Her mandate was unanimously renewed by the City Council of Ville de Montréal in 2007, and again in 2011.

Ms. Savard is a member of the Board of Directors of the *Forum of Canadian Ombudsmans*. She is also a member of the Board of Directors and member of the Membership Committee of the *Association des ombudsmans et médiateurs de la francophonie*.

She is also a member of the *International Ombudsmans' Association*, the *International Ombudsmans' Institute* and of the *Association des responsables de la gestion des plaintes du gouvernement du Québec*.

EXPERTISE

Human rights and Fundamental rights; Alternative dispute resolution procedures; Labour and employment law.

SOCIAL COMMITMENT

Ms. Savard chaired the Board of Directors of two daycare centres, including the *Centre de la petite enfance Papillon* where handicapped and non-handicapped children share their everyday life and experiences.

She was a member and twice chaired the Organizing Committee of the annual fundraising ball for the *Montréal Alzheimer Society*.

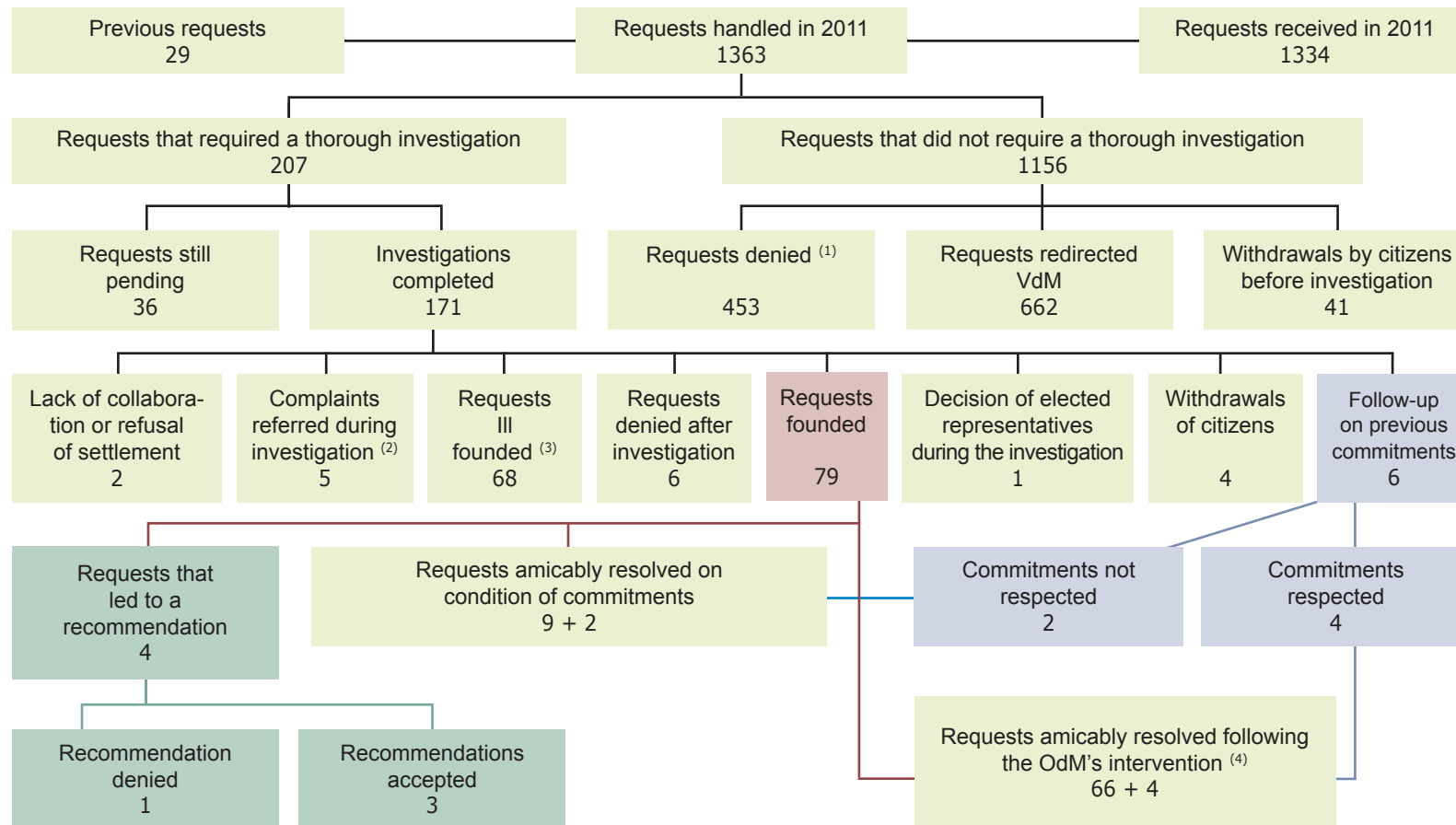
For many years, she was member of the Board of Directors of the *Rotary Club of Old Montréal*, which she presided. Twice the recipient of the *Rotarian of the Year trophy*, highlighting her sustained involvement in community action, she also received the *Paul Harris Fellow* prize, in appreciation of her "tangible and significant assistance given for the furtherance of better understanding and friendly relations among peoples of the world".

In 2005, the Carrefour des Communautés awarded her the *Médaille des arts et métiers du multiculturalisme* for the quality of her work and for her involvement "in the legal, social and intercultural fellowship".

She was a member of the *Conseil des gouverneurs* of Resto Plateau organization.

REQUESTS HANDLED IN 2011

Including Charter files



- (1) These are topics over which the Odm generally does not have jurisdiction.
- (2) These are complaints which the Odm redirected to the concerned director, during the investigation, given his willingness to resolve the matter without the need of a formal Recommendation.
- (3) These files were investigated but the Odm concluded that the complaint was ill founded, for example, if By-laws were respected. Our reasoned conclusions were nevertheless provided to the citizen.
- (4) In these cases, following a discussion with the Odm, the concerned director voluntarily settled the issue to the citizen's advantage, following our investigation : there was, therefore, no need to issue a Recommendation.

EVOLUTION – NUMBER OF REQUESTS RECEIVED

Including Charter files

TOPIC	2011	2010	2009
Access to information	12	21	39
Acquired rights	2	2	1
Alley	8	14	12
Animal	15	14	10
Application of By-laws	34	56	42
Aqueduct / Sewer	26	15	13
Cleanliness	10	10	12
Communications	23	16	25
Conduct of an employee	69	79 ⁽⁵⁾	96
Conflict of interests	2	4	0
Court decision	5	10 ⁽⁶⁾	34
Culture	1	0	1
Cycling path	3	3	4
Decision of a Borough Council	3	7	2
Decision of the City Council	2	3	3
Decision of the Executive Committee	0	1	3
Driveway entrance	4	3	3
Environment / Sustainable development	4	3	3
Evaluation / Real estate tax	33	37	35
Fence	7	3	6
Financial compensation (aqueduct / sewer)	4	6	11
Financial compensation (fall on sidewalk)	6	12	27
Financial compensation (municipal pound)	3	3	5
Financial compensation (municipal works)	5	8	11

(5) Since 2010, this category does not include judgments from the Municipal Court.

(6) Since 2010, this category includes complaints against Ville de Montréal employee's only.

CHART R2 (CONTINUED)

EVOLUTION – NUMBER OF REQUESTS RECEIVED

Including Charter files

TOPIC	2011	2010	2009
Financial compensation (others)	22	17	49
Financial compensation (pothole)	2	1	8
Financial compensation (road incident)	5	6	8
Financial compensation (tree)	2	3	2
Fire / Public safety	8	9	12
Garbage / Recycling	19	17	30
Handicapped person	11	12	9
Human rights	3	1	6
Labour relations	26	33	39
Library	5	3	2
Miscellaneous	42	30	46
Municipal Court	105	89	80
Municipal Court Judgment	16	26	N/A ⁽⁷⁾
Noise	38	35	36
Nuisance	13	16	23
Parking / SRRR / Vignettes	47	75	54
Parks and green spaces	5	11	4
Permit	53	53	41
Pound (others)	2	7	5
Pound (storage of furniture)	31	43	29
Private dispute	92	100	N/A ⁽⁸⁾
Public health (bed bugs)	10	6	1
Public health (cockroaches)	0	0	1
Public health (mold)	5	1	7

(7) New category since 2010.

(8) New category since 2010.

EVOLUTION – NUMBER OF REQUESTS RECEIVED

Including Charter files

TOPIC	2011	2010	2009
Public health (others)	29	20	19
Public health (rats and mice)	3	5	1
Public organization	123	143	123
Public participation	3	5	3
Right of initiative	2	N/A ⁽⁹⁾	N/A ⁽⁹⁾
Road works / Public works	51	42	63
Scientific institutions	2	0	0
Snow removal	7	11	19
Social housing / HLM / Housing Subsidies	100	105	94
Sports and leisure	15	10	15
Subsidy other than housing	23	28	19
Tax (except real estate)	16	19	23
Taxi	5	4	0
Tenant / Landlord relations	15	19	28
Tenders	4	1	7
Towing	4	2	8
Traffic	28	12	22
Transportation	10	12	21
Tree	12	25	35
Universal access	3	4	2
Violation of law	11	24	29
Winter temporary shelter	4	2	2
Zoning / Urban planning / Exemption	21	27	17
TOTAL	1334	1444	1444

(9) New category since 2011.

CHART R2A

EVOLUTION – NUMBER OF THOROUGH INVESTIGATIONS

Including Charter files

TOPIC	2011	2010	2009
Access to information	1	0	2
Acquired rights	1	1	0
Alley	2	3	5
Animal	3	1	1
Application of By-laws	8	10	9
Aqueduct / Sewer	2	4	3
Cleanliness	2	0	2
Communications	9	8	3
Conduct of an employee	4	1	2
Cycling path	0	1	0
Decision of a Borough Council	1	0	1
Decision of the City Council	1	0	0
Driveway entrance	0	1	1
Environment / Sustainable development	1	2	0
Evaluation / Real estate tax	4	3	8
Fence	1	1	0
Financial compensation (aqueduct / sewer)	1	0	0
Financial compensation (fall on sidewalk)	1	1	3
Financial compensation (municipal pound)	1	0	0
Financial compensation (municipal works)	1	2	0
Financial compensation (others)	1	2	1
Fire / Public safety	2	2	3
Garbage / Recycling	4	1	4
Handicapped person	2	7	3

EVOLUTION – NUMBER OF THOROUGH INVESTIGATIONS

Including Charter files

TOPIC	2011	2010	2009
Library	1	1	0
Miscellaneous	8	5	1
Municipal Court	7	10	12
Noise	11	10	16
Nuisance	4	1	9
Parking / SRRR / Vignettes	6	12	7
Parks and green spaces	3	4	2
Permit	8	8	6
Pound (others)	0	2	3
Pound (storage of furniture)	8	28	20
Private dispute	1	0	0
Public health (bed bugs)	1	3	0
Public health (mold)	2	0	1
Public health (others)	3	6	3
Public health (rats and mice)	0	1	0
Public participation	1	3	2
Right of initiative	1	0	0
Road works / Public works	4	9	5
Snow removal	0	1	2
Social housing / HLM / Housing subsidies	28	18	17
Sports and leisure	2	1	1
Subsidy other than housing	6	5	5
Tax (except real estate)	5	5	4
Taxi	1	2	0

CHART R2A (CONTINUED)

EVOLUTION – NUMBER OF THOROUGH INVESTIGATIONS

Including Charter files

TOPIC	2011	2010	2009
Tenders	0	0	1
Towing	0	0	5
Traffic	9	3	4
Tree	1	6	6
Universal access	0	3	2
Winter temporary shelter	1	0	0
Zoning / Urban planning / Exemption	4	11	8
TOTAL	179	209	193

RESULTS / BY TOPIC

Including Charter files

TOPIC	Total	Withdrawal before investigation	Referred VdM before investigation	Denied before investigation	Withdrawal during investigation	Lack of collaboration or refusal of settlement	Redirected during investigation	Denied during investigation	Decision of elected representatives during investigation	Request Ill-founded	Resolved by mediation	Recommendation	Commitment	Follow-up on commitment	Still pending
Access to information	12		1	10						1					
Acquired rights	2		1							1					
Alley	8	2	4										1		1
Animal	15		11	1	1						1				1
Application of By-laws	34	2	24				1			1	1	1			4
Aqueduct / Sewer	26	2	22							1					1
Cleanliness	10		8							1	1				
Communications	23	1	10	3						1	7			1	
Conduct of an employee	69	1	37	27		1	1				2				
Conflict of interests	2		1	1											
Court decision	5			5											
Culture	1	1													
Cycling path	3		3												
Decision of a Borough Council	3	1		1				1							
Decision of the City Council	2			1				1							
Driveway entrance	4		4												
Environment / Sustainable development	4		3							1					

CHART 3 (CONTINUED)

RESULTS / BY TOPIC

Including Charter files

TOPIC	Total	Withdrawal before investigation	Referred VdM before investigation	Denied before investigation	Withdrawal during investigation	Lack of collaboration or refusal of settlement	Redirected during investigation	Denied during investigation	Decision of elected representatives during investigation	Request Ill-founded	Resolved by mediation	Recommendation	Commitment	Follow-up on commitment	Still pending
Evaluation / Real estate tax	33	1	19	9			1			2	1				
Fence	7		6							1					
Financial compensation (aqueduct / sewer)	4		1	2							1				
Financial compensation (fall on sidewalk)	6			5							1				
Financial compensation (municipal pound)	3		1	1							1				
Financial compensation (municipal works)	5		1	3						1					
Financial compensation (others)	22		7	14						1					
Financial compensation (pothole)	2			2											
Financial compensation (road incident)	5		1	4											
Financial compensation (tree)	2			2											
Fire / Public safety	8		6							1			1		
Garbage / Recycling	19	3	9	3							2				2
Handicapped person	11		8	1						1	1				
Human rights	3		2	1											

RESULTS / BY TOPIC

Including Charter files

TOPIC	Total	Withdrawal before investigation	Referred VdM before investigation	Denied before investigation	Withdrawal during investigation	Lack of collaboration or refusal of settlement	Redirected during investigation	Denied during investigation	Decision of elected representatives during investigation	Request Ill-founded	Resolved by mediation	Recommendation	Commitment	Follow-up on commitment	Still pending
Labour relations	26			26											
Library	5	1	3								1				
Miscellaneous	42	1	23	10	1			2		2	2				1
Municipal Court	105	4	85	9						5	2				
Municipal Court judgment	16			16											
Noise	38		23	4	1		1			3	5				1
Nuisance	13	1	7	1									1		3
Parking / SRRR / Vignettes	47	2	24	15						1			1		4
Parks and green spaces	5		2											3	
Permit	53	3	42		1				1	3	2				1
Pound (others)	2		1	1											
Pound (storage of furniture)	31	1	20	2						4	2	1			1
Private dispute	92			91				1							
Public health (bed bugs)	10		9								1				
Public health (mold)	5		3												2
Public health (others)	29	2	24							1	1		1		

CHART R3 (CONTINUED)

RESULTS / BY TOPIC

Including Charter files

TOPIC	Total	Withdrawal before investigation	Referred VdM before investigation	Denied before investigation	Withdrawal during investigation	Lack of collaboration or refusal of settlement	Redirected during investigation	Denied during investigation	Decision of elected representatives during investigation	Request Ill-founded	Resolved by mediation	Recommendation	Commitment	Follow-up on commitment	Still pending
Public health (rats and mice)	3		3												
Public organization	123			123											
Public participation	3		2				1								
Right of initiative	2		1							1					
Road works / Public works	51	4	43								3				1
Scientific institutions	2		2												
Snow removal	7		7												
Social housing / HLM / Housing subsidies	100	5	60	7		1		1		9	11		1	2	3
Sports and leisure	15		13							2					
Subsidy other than housing	23		15	2						5					1
Tax (except real estate)	16		5	6						4	1				
Taxi	5		4							1					
Tenant / Landlord relations	15			15											
Tenders	4	1	2	1											
Towing	4		4												
Traffic	28	1	16	2						2	1		3		3

RESULTS / BY TOPIC

Including Charter files

TOPIC	Total	Withdrawal before investigation	Referred VdM before investigation	Denied before investigation	Withdrawal during investigation	Lack of collaboration or refusal of settlement	Redirected during investigation	Denied during investigation	Decision of elected representatives during investigation	Request Ill-founded	Resolved by mediation	Recommendation	Commitment	Follow-up on commitment	Still pending
Transportation	10			10											
Tree	12		10	1						1					
Universal Access	3		2	1											
Violation of law	11			11											
Winter temporary shelter	4		3								1				
Zoning / Urban planning / Exemption	21	1	13	3						3					1
GRAND TOTAL	1334	41	658	456	4	2	5	6	1	61	52	2	9	6	31

CHART R4

EVOLUTION – NUMBER OF COMPLAINTS BY BOROUGH

Including Charter files

BOROUGH	2011	2010	2009
Ahuntsic-Cartierville	38	49	62
Anjou	7	11	9
Côte-des-Neiges–Notre-Dame-de-Grâce	52	66	31
L'Île-Bizard–Sainte-Geneviève	8	2	6
Lachine	14	4	3
LaSalle	25	20	23
Le Plateau-Mont-Royal	67	76	70
Le Sud-Ouest	40	27	30
Mercier–Hochelaga-Maisonneuve	45	27	49
Montréal-Nord	13	25	16
Outremont	4	15	4
Pierrefonds-Roxboro	12	22	6
Rivière-des-Prairies–Pointe-aux-Trembles	29	28	33
Rosemont–La Petite-Patrie	51	47	46
Saint-Laurent	13	9	12
Saint-Léonard	3	8	5
Verdun	25	26	22
Ville-Marie	61	75	60
Villeray–Saint-Michel–Parc-Extension	34	20	29
Files concerning all boroughs	1	0	2
TOTAL	542	557	518

EVOLUTION – NUMBER OF COMPLAINTS BY CENTRAL DEPARTMENT

Including Charter files

DEPARTMENT ⁽¹⁰⁾	2011	2010	2009
Direction générale			
Bureau du Directeur général	1	0	0
Direction des communications	1	1	0
Direction des Muséums nature de Montréal	2	1	0
Direction du greffe	2	4	7
Contrôleur général			
All departments included	1	0	0
Finances			
Direction des revenus et de la fiscalité	30	48	46
Direction de la comptabilité et du contrôle financier	0	0	1
Direction de la gestion financière	3	0	1
Affaires juridiques et évaluation foncière			
Direction de l'évaluation foncière	19	9	6
Direction des affaires pénales et criminelles	128	124	108
Affaires juridiques	48	50	88
Technologies de l'information			
All departments included	1	1	0

(10) A major restructuring took place in 2011, the data of previous years have been grouped under the administrative unit responsible in 2011.

CHART R5 (CONTINUED)

EVOLUTION – NUMBER OF COMPLAINTS BY CENTRAL DEPARTMENT

Including Charter files

DEPARTMENT ⁽¹⁰⁾	2011	2010	2009
Concertation des arrondissements et des ressources matérielles			
Concertation des arrondissements	0	2	0
Unité de la propreté et du déneigement	0	0	1
Direction de l’approvisionnement	0	0	2
Direction du matériel roulant	1	0	1
Direction des immeubles	1	2	1
Direction stratégies et transactions immobilières	3	6	4
Division des relations avec les citoyens (311)	3	1	4
Développement et opérations			
Direction de l’environnement et du développement durable	3	5	4
Direction du développement culturel et du patrimoine	4	3	1
Direction du développement économique et urbain	1	2	0
Direction de l’habitation	18	27	17
Direction des grands parcs et du verdissement	2	1	1
Direction des sports	1	4	3
Bureau du Mont-Royal	0	0	1
Direction des transports	6	7	1
Direction des travaux publics	1	1	2
Eau			
All departments included	1	3	2
Capital humain			
All departments included	26	31	21

(10) A major restructuring took place in 2011, the data of previous years have been grouped under the administrative unit responsible in 2011.

**EVOLUTION – NUMBER OF COMPLAINTS
BY CENTRAL DEPARTMENT**

Including Charter files

DEPARTMENT ⁽¹⁰⁾	2011	2010	2009
Police			
Service des communications opérationnelles (911)	2	0	1
Bureau du taxi et du remorquage	5	4	1
Direction des opérations policières	57	86	106
Section des agents de stationnement	34	40	34
Pounds linked to the Service de police	2	0	0
Sécurité incendie de Montréal			
All departments included	6	10	16
Previous Municipal pound			
Direction de l'administration et du soutien opérationnel	N/A	N/A	6 ⁽¹¹⁾
TOTAL	413	473	487

(10) A major restructuring took place in 2011, the data of previous years have been grouped under the administrative unit responsible in 2011.

(11) In 2009, the storage of furniture from evicted tenants have been passed on to boroughs.

CHART R6

EVOLUTION – NUMBER OF COMPLAINTS BY PARAMUNICIPAL AGENCY, CITY-CONTROLLED CORPORATION AND OTHER CITY RELATED ORGANIZATION

Including Charter files

ENTITY	2011	2010	2009
Commission des services électriques de Montréal	2	2	5
Corporation de gestion des marchés publics	0	0	1
Corporation des Habitations Jeanne-Mance	5	1	0
Office municipal d'habitation de Montréal (OMHM)	101	102	98
Société du parc Jean-Drapeau	3	0	11
Société d'habitation et de développement de Montréal (SHDM)	11	15	2
Société de transport de Montréal	19	26	33
Société en commandite Stationnement de Montréal	1	6	9
Musée Pointe-à-Callière	0	0	1
TOTAL	142	152	160

**EVOLUTION – NUMBER OF COMPLAINTS
BY POLITICAL ENTITY ⁽¹²⁾**

Including Charter files

ENTITY	2011	2010	2009
Agglomeration Council ⁽¹³⁾	5	0	0
City Council	9	6	5
Executive Committee	1	4	5
Mayor's office	1	0	2
Office of City Council Chairman	0	1	2
TOTAL	16	11	14

(12) The requests concerning a Borough Council are included in Chart R4.

(13) The OdM has no jurisdiction over the Agglomeration Council.

CHART R8

FINAL RESPONSE PERIOD

Including Charter files

A. ALL REQUESTS INCLUDED

	1 to 2 working days	5 working days	10 working days	1 month	2 months	3 months	4 months	5 months or more	Files still pending as of January 1, 2012	TOTAL	AVERAGE DELAY in working days
2009	1225	48	24	32	54	35	12	14	0	1444	6.71 Days
%	84.83	3.32	1.66	2.22	3.74	2.42	0.83	0.97	0	100%	
2010	1172	77	35	46	51	25	10	24	4	1444	7.12 Days
%	81.16	5.33	2.42	3.19	3.53	1.73	0.69	1.66	0.28	100%	
2011	1085	69	30	43	42	17	9	6	33	1334	4.63 Days
%	81.33	5.17	2.25	3.22	3.15	1.27	0.67	0.45	2.47	100%	

B. REQUESTS THAT REQUIRED A THOROUGH INVESTIGATION

	1 to 2 working days	5 working days	10 working days	1 month	2 months	3 months	4 months	5 months or more	Files still pending as of January 1, 2012	TOTAL	AVERAGE DELAY in working days
2009	15	13	20	30	54	35	12	14	0	193	42.67 Days
%	7.77	6.74	10.36	15.54	27.98	18.13	6.22	7.25	0	100%	
2010	7	22	24	43	50	25	10	24	4	209	41.62 Days
%	3.35	10.53	11.48	20.57	23.92	11.96	4.78	11.48	1.91	100%	
2011	12	12	13	39	41	17	9	6	30	179	25.77 Days
%	6.7	6.7	7.26	21.79	22.91	9.5	5.03	3.35	16.76	100%	

DEMOGRAPHIC DATA
COMPLAINTS RECEIVED IN 2011

Including Charter files

A. GENDER

GENDER	NUMBER	%
Female	576	44.41
Male	721	55.59
TOTAL	1297 ⁽¹⁴⁾	100%

B. LANGUAGE

LANGUAGE	NUMBER	%
French	1063	80.96
English	250	19.04
TOTAL	1313 ⁽¹⁴⁾	100%

C. AGE GROUP ⁽¹⁵⁾

AGE GROUP	NUMBER	%
Under 18	1	0.08
18-25	24	1.85
26-40	197	15.19
41-50	180	13.89
51-64	204	15.73
65 +	186	14.34
Unknown	505	38.94
TOTAL	1297 ⁽¹⁴⁾	100%

D. ORIGIN ⁽¹⁶⁾

ORIGIN	NUMBER	%
Canadian	804	61.99
Ethnocultural	397	30.61
Unknown	96	7.4
TOTAL	1297 ⁽¹⁴⁾	100%

E. DETAILED ETHNOCULTURAL ORIGIN

ORIGIN	NUMBER	%
American (USA)	2	0.5
Australian	2	0.5
Belgian	1	0.25
Brasilian	1	0.25
Cameroonian	2	0.5
Chinese	11	2.77
Congolese	1	0.25
Czech	3	0.76
Egyptian	3	0.76
English	3	0.76
French	25	6.3
German	5	1.26
Greek	7	1.76
Haitian	24	6.05
Indian	1	0.25
Iranian	1	0.25
Italian	58	14.61
Jamaican	1	0.25
Jewish	4	1.01
Jordanian	1	0.25
Lebanese	4	1.01
Metis	1	0.25
Morrocan	3	0.76
Peruvian	1	0.25
Polish	3	0.76

(14) 21 investigations were initiated by the OdM and 16 complaints were submitted by a corporation.

(15) This information was provided on a voluntary basis : 61.08 % of respondents gave the information.

(16) This information was provided on a voluntary basis : 92.6 % of respondents gave the information.

CHART R9 (CONTINUED)

DEMOGRAPHIC DATA COMPLAINTS RECEIVED IN 2011

Including Charter files

E. DETAILED ETHNOCULTURAL ORIGIN (CONTINUED)

ORIGIN	NUMBER	%
Portuguese	1	0.25
Romanian	5	1.26
Russian	7	1.76
Spanish	1	0.25
Swiss	1	0.25
Trinidadian	1	0.25
Tunisian	2	0.5
Turkish	2	0.5
Vietnamese	3	0.76
Yougoslav	1	0.25
Ethnocultural origin confirmed but not specified	205	51.64
TOTAL	397	100%

F. VISIBLE MINORITY ⁽¹⁷⁾

VISIBLE MINORITY	NUMBER	%
No	954	73.55
Yes	171	13.18
Unknown	172	13.26
TOTAL	1297 ⁽¹⁴⁾	100%

G. DETAILED DECLARED VISIBLE MINORITIES

VISIBLE MINORITY	NUMBER	%
Arabic	59	34.5
Asian	21	12.28
Black	63	36.84
Latin American	23	13.45
South Asian (Tamils, Pakistani, Hindu)	5	2.92
TOTAL	171	100%

(14) 21 investigations were initiated by the OdM and 16 complaints were submitted by a corporation.

(17) This information was provided on a voluntary basis : 86.73% of respondents gave the information.

**CHARTER FILES
NUMBER OF COMPLAINTS / BY TOPIC**

CHAPTER	TOPIC	NUMBER
Democracy	Public participation	1
	Right of initiative	1
	Zoning / Urban planning / Exemption	1
	SUB-TOTAL	3
Economic and Social Life	Public health (mold)	1
	Public health (others)	1
	Social housing / HLM / Housing subsidies	3
	SUB-TOTAL	5
Environment and Sustainable Development	Animal	2
	Environment / Sustainable development	1
	Garbage / Recycling	3
	Noise	10
	Nuisance	2
	Parks and green spaces	1
	Road works / Public works	1
	Traffic	3
	Tree	1
	Zoning / Urban planning / Exemption	2
SUB-TOTAL	26	

CHART R10 (CONTINUED)

CHARTER FILES NUMBER OF COMPLAINTS / BY TOPIC

CHAPTER	TOPIC	NUMBER
Municipal services	Alley	1
	Animal	1
	Communications	1
	Conduct of an employee	1
	Handicapped person	2
	Pound (storage of furniture)	1
	Road works / Public works	2
	Social housing / HLM / Housing subsidies	1
	Subsidy other than housing	1
SUB-TOTAL	11	
Recreation, Physical Activities and Sports	Parks and green spaces	1
	SUB-TOTAL	1
Security	Application of By-laws	1
	Fence	1
	Fire / Public safety	2
	Miscellaneous	1
	Public health (mold)	1
	Road works / Public works	1
	Social housing / HLM / Housing Subsidies	2
	Traffic	2
SUB-TOTAL	11	
	GRAND TOTAL	57

CHARTER FILES
RESULTS / BY SPECIFIC PROVISION OF THE CHARTER

CHAPTER / COMMITMENT	NUMBER	RESULT	AVERAGE PERIOD IN WORKING DAYS
Democracy			
Defining and establishing guidelines for, and granting, through a By-law, the right of citizens' initiatives regarding public consultations	1	Ill-founded	3
Encouraging public participation	1	Referred	4
Encouraging public participation and providing citizens with useful and clearly formulated information	1	Ill founded	2
Ensuring that the public consultation process is credible, open and effective by adopting and maintaining the appropriate procedures	1	Ill-founded	2
SUB-TOTAL	4		
Economic and Social Life			
Taking appropriate measures to ensure that housing meets public health and safety standards	5	2 Still pending 3 Resolved	40.2
SUB-TOTAL	5		

CHART R11 (CONTINUED)

CHARTER FILES RESULTS / BY SPECIFIC PROVISION OF THE CHARTER

CHAPTER / COMMITMENT	NUMBER	RESULT	AVERAGE PERIOD IN WORKING DAYS
Environment and Sustainable development			
Encouraging civic responsibility by citizens that shows respect for our social and natural environments	4	1 Withdrawal 2 Still pending 1 Resolved	19
Fostering continuous improvement of air quality	1	Ill-founded	13
Promoting the enhancement of urban woods	1	Follow-up on commitments	30
Promoting the protection of urban woods	2	1 Ill-founded 1 Follow-up on commitments	25
Promoting waste reduction, re-use and recycling	1	Resolved	38
Reconciling protection of the environment and of the built heritage with cultural, social and economic development	1	Ill-founded	20
Taking measures to reduce abusive irritants from dumping garbage	3	2 Still pending 1 Resolved	9
Taking measures to reduce abusive irritants from noise	15	1 Withdrawal 4 Still pending 4 Ill-founded 1 Referred 5 Resolved	21.20
Taking measures to reduce abusive irritants from the traffic	3	1 Still pending 2 Ill-founded	12.33
SUB-TOTAL	31		

CHARTER FILES
RESULTS / BY SPECIFIC PROVISION OF THE CHARTER

CHAPTER / COMMITMENT	NUMBER	RESULT	AVERAGE PERIOD IN WORKING DAYS
Municipal services			
Promoting flexibility in supplying municipal services to meet the various needs of citizens	1	Resolved	64
Promoting flexibility in the use of public space to meet the various needs of citizens	1	Ill-founded	50
Promoting the supply and distribution of municipal services in an equitable manner	5	1 Still pending 1 Ill-founded 3 Resolved	47.2
Taking appropriate measures to ensure the cleanliness of public property	1	Withdrawal	54
Taking measures to limit disruptions or obstacles depriving citizens of access to their homes	2	1 Still pending 1 Resolved	15
Taking measures to limit disruptions or obstacles depriving citizens of access to sidewalks and footpaths	1	Resolved	3
SUB-TOTAL	11		

CHART R11 (CONTINUED)

CHARTER FILES RESULTS / BY SPECIFIC PROVISION OF THE CHARTER

CHAPTER / COMMITMENT	NUMBER	RESULT	AVERAGE PERIOD IN WORKING DAYS
Recreation, Physical Activities and Sports			
Developing high-quality parks	1	Follow-up on commitment	9
SUB-TOTAL	1		
Security			
Developing its territory in a safe manner	3	1 Commitment 1 Ill-founded 1 Resolved	63.67
Protecting people	2	1 Commitment 1 Follow-up on commitment	11
Protecting property	4	1 Commitment 1 Ill-founded 1 Resolved 1 Follow-up on commitment	39.5
SUB-TOTAL	9		
GRAND TOTAL	61		

CHARTER FILES
TOPIC OF COMPLAINTS / BY ENTITY

BOROUGH	CHAPTER / TOPIC	NUMBER
Ahuntsic-Cartierville (administration)	Economic and Social Life	
	Public health (mold)	1
	Public health (others)	1
	Environment and Sustainable Development	
	Noise	1
	Nuisance	1
	Road works / Public works	1
	Recreation, Physical Activities and Sports	
Parks and green spaces	1	
Ahuntsic-Cartierville (Borough Council)	Environment and Sustainable Development	
	Zoning / Urban planning / Exemption	1
	TOTAL	7
Anjou (administration)	Environment and Sustainable Development	
	Traffic	1
	TOTAL	1

CHART R12 (CONTINUED)

CHARTER FILES TOPIC OF COMPLAINTS / BY ENTITY

BOROUGH	CHAPTER / TOPIC	NUMBER
Côte-des-Neiges–Notre-Dame-de-Grâce (administration)	Environment and Sustainable Development	
	Garbage / Recycling	1
	Tree	1
	Municipal services	
	Conduct of an employee	1
	Security	
	Fence	1
	Public health (mold)	1
	TOTAL	5
L'Île-Bizard–Sainte-Geneviève (administration)	Environment and Sustainable Development	
	Noise	1
	TOTAL	1
Lachine (administration)	Environment and Sustainable Development	
	Noise	1
	Municipal Services	
	Handicapped person	1
	Road works / Public works	1
	TOTAL	3
LaSalle (administration and Borough Council)	Democracy	
	Zoning / Urban planning / Exemption	1
	TOTAL	1

CHARTER FILES
TOPIC OF COMPLAINTS / BY ENTITY

BOROUGH	CHAPTER / TOPIC	NUMBER
Le Plateau-Mont-Royal (administration)	Security	
	Miscellaneous	1
	Traffic	1
	TOTAL	2
Le Sud-Ouest (administration)	Environment and Sustainable Development	
	Noise	2
	Parks and green spaces	1
	Municipal services	
	Subsidy other than housing	1
TOTAL	4	
Mercier-Hochelaga-Maisonneuve (administration)	Environment and Sustainable Development	
	Animal	1
	Traffic	1
	Municipal services	
	Pound (storage of furniture)	1
TOTAL	3	
Montréal-Nord (administration)	Security	
	Application of By-laws	1
	TOTAL	1

CHART R12 (CONTINUED)

CHARTER FILES TOPIC OF COMPLAINTS / BY ENTITY

BOROUGH	CHAPTER / TOPIC	NUMBER
Outremont (administration)	Environment and Sustainable Development	
	Garbage / Recycling	1
	TOTAL	1
Pierrefonds-Roxboro (administration)	Environment and Sustainable Development	
	Zoning / Urban planning / Exemption	1
Pierrefonds-Roxboro (Borough Council)	Environment and Sustainable development	
	Traffic	1
	TOTAL	2
Rivière-des-Prairies-Pointe-aux-Trembles (administration)	Environment and Sustainable development	
	Noise	1
	Security	
	Fire / Public safety	1
	TOTAL	2
Rosemont-La Petite-Patrie (administration)	Environment and Sustainable Development	
	Animal	1
	Nuisance	1
	Municipal services	
	Animal	1
	Handicapped person	1
Rosemont-La Petite-Patrie (Borough Council)	Municipal services	
	Alley	1
	TOTAL	5

CHARTER FILES
TOPIC OF COMPLAINTS / BY ENTITY

BOROUGH	CHAPTER / TOPIC	NUMBER
Verdun (administration)	Environment and Sustainable Development	
	Noise	2
	TOTAL	2
Ville-Marie (administration)	Environment and Sustainable Development	
	Garbage / Recycling	1
	Noise	2
	Municipal services	
	Communications	1
TOTAL	4	
Villeray–Saint-Michel–Parc-Extension (administration)	Municipal Services	
	Road works / Public works	1
	Security	
	Road works / Public works	1
TOTAL	2	

CHARTER FILES
TOPIC OF COMPLAINTS / BY ENTITY

CENTRAL DEPARTMENT	CHAPTER / TOPIC	NUMBER
Direction générale (Direction du greffe)	Democracy	
	Right of initiative	1
	TOTAL	1
Développement et opérations (Direction de l'environnement et du développement durable)	Environment and Sustainable Development	
	Environment / Sustainable development	1
	TOTAL	1
Développement et opérations (Direction des grands parcs et du verdissement)	Environment and Sustainable Development	
	Parks and green spaces	1
	TOTAL	1
Développement et opérations (Direction des transports)	Security	
	Traffic	1
	TOTAL	1
Sécurité incendie de Montréal (All departments included)	Security	
	Fire / Public safety	1
	TOTAL	1

CHARTER FILES
TOPIC OF COMPLAINTS / BY ENTITY

PARAMUNICIPAL AGENCY	CHAPTER / TOPIC	NUMBER
Office municipal d'habitation de Montréal (OMHM)	Economic and Social Life	
	Social housing / HLM / Housing subsidies	2
	Municipal services	
	Social housing / HLM / Housing subsidies	1
	Security	
	Social housing / HLM / Housing subsidies	3
	TOTAL	6
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POLITICAL ENTITY	CHAPTER / TOPIC	NUMBER
City Council	Democracy	
	Public participation	1
	TOTAL	1

ADDENDUM D

LIST OF DOCUMENTS AND CHARTS AVAILABLE ON OUR WEBSITE

A. 2011 CHARTS – ALL FILES COMBINED, INCLUDING CHARTER FILES

CHART 1	Requests handled in 2011
CHART 2	Evolution – Number of requests received
CHART 2A	Evolution – Number of thorough investigations
CHART 3	Results / By topic
CHART 4	Evolution – Number of requests received – from 2004 to 2011
CHART 5	Final response period
CHART 6	Mode of submission of complaints
CHART 7	Demographic data

● **Boroughs**

CHART 8	Evolution – Number of complaints
CHART 9	Topic of complaints
CHART 10	Results
CHART 11	Final response period

● **Central Departments**

CHART 12	Evolution – Number of complaints
CHART 13	Topic of complaints
CHART 14	Results
CHART 15	Final response period

● **Paramunicipal Agencies, City-Controlled Corporations and other City related Organizations**

CHART 16	Evolution – Number of complaints
CHART 17	Topic of complaints
CHART 18	Results
CHART 19	Final response period

● **Political Entities**

CHART 20	Evolution – Number of complaints
CHART 21	Topic of complaints
CHART 22	Results
CHART 23	Final response period

B. 2011 CHARTS – CHARTER FILES ONLY

CHART 24	Number of complaints / By topic
CHART 25	Results / By chapter
CHART 26	Topic of complaints / By entity
CHART 27	Results / By entity
CHART 28	Final response period
CHART 29	Results / By specific provision
CHART 30	Evolution / Number of complaints 2006-2011
CHART 31	Results / By topic
CHART 32	Demographic data

C. GLOSSARY

*Our actions have a real impact
and we are proud of it.*

*We are pursuing our mission!!!
Which is to collaborate with representatives and
elected officials to correct errors
and to provoke change, when needed.*

*Respect, Transparency and Trust
are at the heart of our interventions
with citizens and municipal administration,
in Montréal.*

The OdM team



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