

## REQUEST TO SPEAK TO A COMMITTEE OF COUNCIL

*If your request is for a specific committee meeting, this form must be received by NOON the day before the scheduled committee meeting. Requests for Monday meetings must be received by Noon the Friday before the meeting. Requests for meetings scheduled for the day after a statutory holiday must be received the last business day by Noon.*

### Committee Requested

- |  |   |
|--|---|
| <input type="checkbox"/> Audit, Finance and Administration         | <input type="checkbox"/> General Issues |
| <input type="checkbox"/> Board of Health                           | <input type="checkbox"/> Planning       |
| <input checked="" type="checkbox"/> Emergency & Community Services | <input type="checkbox"/> Public Works   |
| <input type="checkbox"/> Advisory/Sub-Committee (enter name) _____ |   |

### Requestor Information

Name: Brian Duxbury

Name of Organization: Duxbury Law Professional Corporation

Do you or your organization represent a lobbyist (voluntary) ☐ Yes ☒ No

Contact Number: 905-570-1242

Email Address: brian@duxburylaw.ca

Mailing Address: 500-1 King Street West, Hamilton, ON, L8P 1A4

Reason(s) for delegation request: I am retained by Mr. Ayman Mikhael and 2142472

Ontario Ltd. in respect to my client's application for residential care subsidies  
for their properties at 28 Burris Street, 223 Balsalm Avenue, 43 London Street North  
and 57 Proctor Boulevard. Attached as Schedule "A" to this request to speak is my  
letter to the Legislative Coordinator, Ida Bedioui, dated September 25, 2013. I am  
asking for the Committee's permission to appear before it at its next Committee  
meeting to make a presentation based upon the content of my letter of September 25,  
2013.

Will you be submitting a formal presentation? ☒ Yes ☐ No

Requests to speak to Council are forwarded to the Committee for consideration. Once considered by Committee, and approved, you will be notified of the date for your presentation.

This form is not for the purpose of presenting unsolicited proposals by Vendors to Committee. Such proposals are subject to a competitive process as required by the City's Purchasing Policy.


Personal information collected on this form is authorized under Section 5.10(2) of the City's Procedural By-law No. 10-053 for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before a Committee and will be published with the Committee Agenda. The Voluntary Lobbyist Registry is a public document and will be available for viewing in the City Clerk's office. The Procedural By-law is a requirement of Section 238(2) of the Municipal Act. Questions about its collection can be directed to the Manager, Legislative Services / Deputy Clerk, 71 Main St. W., Hamilton, ON L8P 4Y5, 905 548-2424 ext. 4304.

**DUXBURY LAW PROFESSIONAL CORPORATION**

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 Brian Duxbury B.A. L.L.B.  
Certified Specialist - Civil Litigation

T. David Marshall B.A., B.A., L.L.B. L.L.M.

September 25, 2013

**HAND DELIVERED**

City of Hamilton  
Hamilton City Hall  
71 Main St. West  
Hamilton, ON  
L8P 4Y5

COPY

Attention: Ms. Ida Bedioui, Legislative Co-ordinator

Dear Ms. Bedioui:

**RE: Application for Residential Care Facilities Subsidy – 28 Burris Street, 223 Balsam Avenue, 43 London Street North, 57 Proctor Blvd.**

**RE: Our client, 2142472 Ontario Ltd. – Ayman Mikhael**

Kindly be advised that I have been retained by Ayman Mikhael, now the owner of 2142472 Ontario Ltd.

I am delivering this correspondence to you on an urgent basis with a request that I be granted permission by the Committee Chair to appear before your Committee at its October 8, 2013 meeting, at such time that is convenient to the Committee to make a brief presentation.

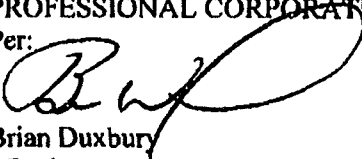
The above noted locations have a difficult and problematic history under the previous ownership. My client, Ayman Mikhael, has taken over ownership of these locations and has expended significant sums of money in order to "clean-up" these operations and bring them into compliance with the City's conditions. However, in this process, my client was not able to file applications for subsidies within the City's required timelines, a late filing was made and my client has been denied subsidies for all four locations. This is having a profound impact upon my client's ability to move forward with the proper operation of these facilities. It has been pointed out to my client that he cannot again qualify for subsidy applications for a period of 24 months. In the circumstances, this appears unfair and unduly harsh and I wish to address the Committee as soon as possible to appeal this result.

I would be grateful if you could bring this correspondence forward to the Committee Chair and advise as soon as possible if I may make a brief presentation on October 8, 2013.

Yours very truly,

DUXBURY LAW  
PROFESSIONAL CORPORATION

Per:

A handwritten signature in black ink, appearing to read "Brian Duxbury", written over the printed name.

Brian Duxbury  
BD:td