

Ministry of the Solicitor General

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**MEMORANDUM TO:**

All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM:

Stephen Waldie
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT:

Consumer Protection Tools and Resources

DATE OF ISSUE:	August 16, 2019
CLASSIFICATION:	General Information
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At the request of the Ministry of Government and Consumer Services (MGCS), I am sharing a communication regarding consumer protection tools and resources, including the Consumer Beware List (CBL).

Please review the attached memo from Assistant Deputy Minister Barbara Duckitt for further details. If you require further information, please contact ADM Duckitt at 416-325-5976.

Sincerely,

Stephen Waldie
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

Attachment

**Ministry of Government and
Consumer Services**

**Ministère des Services
gouvernementaux et des
Services aux consommateurs**

Office of the Assistant Deputy
Minister

Bureau de la sous-ministre
adjointe

Consumer Services Operations
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DATE: August 13, 2019

MEMORANDUM TO: Stephen Waldie
Assistant Deputy Minister
Public Safety Division
Ministry of the Solicitor General

FROM: Barbara Duckitt
Assistant Deputy Minister (A)
Consumer Services Operations Division
Ministry of Government and Consumer Services

SUBJECT: Consumer Protection tools and resources, including the
Consumer Beware List

The Consumer Services Operations Division of the Ministry of Government and Consumer Services administers and enforces several consumer protection statutes and addresses a broad spectrum of consumer issues in the Ontario marketplace. A sampling of the issues handled by this office include disputes relating to door-to-door sales, home renovations, moving, online purchases, ticket sales, fitness club contracts and cancellations, collection agencies, payday loans, credit file errors and towing. We also enforce laws governing these matters, both proactively and in response to consumer complaints.

Police officers may be called upon to settle disputes between consumers and businesses or to respond to what appears to be questionable conduct by businesses. We want to let police services in Ontario know that we are a useful resource and potential partner when dealing with consumer protection-related issues.

The Consumer Services Operations Division:

- Educates consumers and businesses about their rights and obligations
- Mediates disputes between consumers and businesses
- Inspects businesses to ensure compliance with legislation and regulations
- Investigates and may refer cases to prosecution
- May issue different types of compliance orders
- Administers the licensing/registration of businesses in certain regulated sectors

The division operates a contact centre, which responds to queries and complaints from the public and businesses and educates callers about their rights and obligations under Ontario's consumer protection legislation. Complaints filed under certain acts such as the *Ticket Sales Act, 2017* and the *Consumer Protection Act, 2002* are eligible for mediation. This alternative form of dispute resolution is free of charge and in 2018 resulted in over \$1.1 million being returned to consumers in the form of refunds or cancelled/rescinded contracts. Mediation is a faster and lower-cost alternative to litigation, especially in those consumer cases where the value at issue is not significant. Consumer protection information can also be found online at: www.ontario.ca/page/consumer-protection-ontario.

In addition to its contact centre work, the division conducts inspections of businesses for compliance and may investigate in response to a formal complaint received from a consumer. An investigation may lead to a prosecution. In 2018, the ministry secured 170 convictions against various businesses under the province's consumer protection statutes. Almost \$200,000 in fines and restitutions payments were ordered by the court last year and individuals convicted were assigned more than 300 months of probation.

The Division also maintains a Consumer Beware List (CBL), which is a searchable, online register of business names, listing associated contraventions identified and the resulting enforcement action where applicable. Enforcement actions include: the laying of charges, court ordered convictions, and the issuance of Administrative Monetary Penalties and compliance orders. Postings may also be made for failure to comply with a Notice of Contravention and failure to respond within certain timeframes to the substance of a consumer complaint. An online search of a business will identify if it appears on the CBL. Consumers are encouraged to search the CBL before entering into a contract with a supplier to see if it is listed.

Police services may also find the information on the CBL useful when responding to complaints about suppliers in their area. The CBL can be accessed at:

<https://www.consumerbewarelist.mgs.gov.on.ca/en/cbl/search>

Businesses licensed or registered under Ontario's consumer protection statutes may have their licences or registrations suspended, revoked or made subject to terms and conditions if they are found to be in contravention of the law.

We encourage you to refer consumers and businesses with questions about consumer protection legislation to our contact centre, where staff are ready to assist them. The contact centre is available between 8:30 a.m. and 5:00 p.m., Monday to Friday at:

- 1-800-889-9768 (toll free)
- 416-326-8800 (Toronto area)
- TTY:
 - 1-877-666-6545 (toll free)
 - 416-229-6068 (Toronto area)

If you have any questions about the work of the division or how we can assist you, please contact me directly at 416-325-5976.

Yours truly,



Barbara Duckitt
Assistant Deputy Minister (A)