

CITY OF HAMILTON LOBBYIST REGISTRAR, DAVID G. BOGHOSIAN

Citation: Inquiry re: Microshelters Inc. Lobbying Activity–
DGB-LRI-2026-001

Date: April 10, 2026

REPORT ON INQUIRY

INTRODUCTION

[1] My role as the City’s Integrity Commissioner and Lobbyist Registrar includes enforcing City of Hamilton By-law No. 14-244 To Establish and Maintain a Lobbyist Registry (“LR By-law”) and conducting inquiries regarding non-compliance at the request of members of the public.

[2] On January 12, 2026, a Hamilton resident (“the Complainant”) who requested and has been granted anonymity filed a Lobbyist Registry Inquiry Request in respect of the principals of a City temporary shelter supplier, Microshelters Inc., identified by the Complainant as Jeffrey Cooper and Denis Fourcaudot. The complaint relates to alleged breaches of the LR By-law by virtue of “engaging with public office holders for the purpose of procuring a single-source contract to supply temporary housing shelters to the City, without registering as lobbyists.”

[3] In the course of our investigation, we became aware of involvement of a third individual who communicated with public office holders on behalf of Microshelters and another party, namely, Dave Levac, who identified himself in the communications as being the principal of Dave Levac Consulting.

[4] The LR By-law came into effect on August 1, 2015. Section 7(1) of the LR By-law requires lobbyists to file a registration in advance of lobbying public officials subject to certain exceptions. The City’s Registry contains no record of any registrations or returns filed by or on behalf of Microshelters Inc., Jeffrey Cooper, Denis Fourcaudot, Dave Levac or Dave Levac Consulting since the By-law came into effect.

[5] The Lobbyist Registry By-law applies to *individuals* who fall within the definition of “lobbyist”. We examined all emails between Mr. Cooper, Mr. Fourcaudot and Mr. Levac (collectively, “the Respondents”) and City of Hamilton email addresses and considered additional information obtained from the Respondents and Hamilton public office holders.

[6] For the reasons set out below, I find that Jeffrey Cooper, Denis Fourcaudot and Dave Levac engaged in unregistered lobbying contrary to s. 7(1) of the LR By-law.

THE COMPLAINT

[7] The Complaint is set out as follows:

1. Purpose of This Complaint

This complaint requests that the Integrity Commissioner investigate and make findings regarding clear and documented violations of the City of Hamilton's Lobbyist Registry By-law by the owners and principals of Microshelters Inc., arising from unsolicited lobbying of City officials and the Mayor's Office between May and September 2024, as documented in Appendix "A" to Auditor General Report AUD26002 (January 15, 2026).

This complaint further requests that, as part of the Integrity Commissioner's final report, all correspondence, emails, and communications between City officials (including the Mayor's Office) and Microshelters' principals be disclosed and published, in keeping with the transparency objectives of the Lobbyist Registry regime.

2. Applicable Legal Framework

Under the City of Hamilton's Lobbyist Registry By-law:

Lobbying includes any communication with a public office holder in an attempt to influence a decision regarding the award of a financial benefit, including procurement.

Lobbying must be registered in advance of the communication.

The Mayor, Mayor's Office staff, and senior City staff are public office holders.

There is no exemption for unsolicited lobbying, marketing pitches, or pre-procurement communications.

The purpose of the By-law is to ensure transparency, accountability, and public confidence in municipal decision-making.

3. Factual Findings from the Auditor General (Direct Evidence)

The Auditor General's report¹ contains explicit, uncontested findings establishing all required elements of unregistered lobbying.

- a) Unsolicited Lobbying Initiated by Microshelters as Early as May 2024

¹ Office of the Auditor General, City of Hamilton, Appendix "A" to Report AUD26002: "Housing Audits: Barton-Tiffany Temporary Shelters Investigation and Lessons Learned".

The Auditor General found:

“Microshelters Inc. staff and their representative made multiple efforts to connect with City senior staff and elected officials to market their product as early as May 2024 (via email).”

This finding establishes:

Initiation by Microshelters (not the City)
Repeated efforts
A marketing purpose

Direct communication with public office holders

b) Lobbying Directed to the Mayor’s Office

The report is unambiguous:

“From May to September 2024, Microshelters Inc. reached out to the senior City staff and the Mayor’s Office on multiple occasions to market their shelter structures using a slide deck.”

This directly engages the highest level of municipal office and removes any doubt that the Lobbyist Registry applies.

c) Assurances and Expressions of Interest Provided Before Council Authority

Critically, the Auditor General documents that City officials conveyed interest before Council approved single-source procurement:

“City staff informed Microshelters Inc. on September 11, 2024 that the City is interested in their product.”

The report explicitly notes the timing:

“This was prior to City staff receiving direction from Council to utilize a single source procurement ... at the September 25, 2024 Council meeting.”

This establishes that:

Lobbying resulted in affirmative signals from City officials

Those signals pre-dated Council authority

The integrity of Council’s approval role was compromised

d) Lobbying Occurred Before Microshelters Was Even Incorporated

The timeline further demonstrates the impropriety of the lobbying:

Initial pricing and marketing materials received:

August 15, 2024

Microshelters Inc. incorporated:

August 28, 2024

This confirms that the lobbying was conducted by individual principals advancing a future commercial interest, not through any regulated or transparent channel.

4. Absence of Lobbyist Registration

Despite these repeated, targeted, and procurement-focused communications:

There is no record of Microshelters Inc. or its principals registering lobbying activity during this period.

The Auditor General's report contains no indication of any registration, waiver, or exemption.

The lobbying therefore occurred entirely outside the Lobbyist Registry framework. This constitutes a prima facie violation of the By-law.

5. Importance of Disclosure of Correspondence

The Auditor General's findings make clear that:

Lobbying occurred via emails and marketing slide decks

Communications were repeated and sustained

Assurances were provided informally and prior to Council authority

However, the public record currently lacks:

The content of those emails

The recipients

The language used by City officials

Any commitments, representations, or assurances made

For the Lobbyist Registry regime to have meaning, the Integrity Commissioner must publish all correspondence between Microshelters' principals and City officials (including the Mayor's Office) as part of the final report.

Failure to do so would:

Undermine the deterrent purpose of the By-law

Normalize informal, undocumented procurement lobbying

Weaken public confidence in municipal governance

6. Requested Findings and Remedies

The complainant respectfully requests that the Integrity Commissioner:

Find that the owners/principals of Microshelters Inc. engaged in unregistered lobbying in violation of the Lobbyist Registry By-law.

Find that the lobbying was unsolicited, sustained, and directed at public office holders, including the Mayor's Office.

Find that City officials provided expressions of interest prior to Council authorization, contrary to the principles of transparent governance.

Order and publish all correspondence (emails, attachments, presentations, messages) between:

Microshelters' principals, and
City staff, senior management, and the Mayor's Office

Recommend any additional remedial or policy changes necessary to prevent recurrence.

7. Conclusion

This case presents one of the clearest factual records of unregistered lobbying the City has encountered. The Auditor General has already done the investigative work. What remains is accountability under the Lobbyist Registry regime. Transparency now requires that this conduct be formally examined, publicly reported, and decisively addressed.

APPLICABLE PROVISIONS OF LR BY-LAW

1. Definitions

"**communication**" means any type of expressive contact and includes but is not limited to oral, written or electronic communication and "**communicate**" has a similar meaning;

"**constituent**" means:

(a) with respect to the Mayor:

- (i) an individual who resides in the City; or
- (ii) an owner or operator of a business or other entity located in the City; and

(b) With respect to a Councillor:

- (i) an individual who resides in the Councillor's ward; or
- (ii) an owner or operator of a business or other entity located in the ward;

"**lobby**", used as a verb, means to **communicate** with a **public officer holder** on:

- (a) any of the following subject matters with the goal of advancing a business or financial interest:
 - i the development, introduction, passage, defeat, amendment or repeal of a City by-law, bill or resolution on any matter;
 - ii the development, approval, amendment or termination of a City policy, program, directive, guideline, including but not limited to a service delivery model;
 - iii the purchase of goods, services or construction and the award of a contract by the City;
 - iv the approval, approval with conditions, or refusal of an application for a service, grant, planning approval, permit or other licence or permission by the City;
 - v the award of any financial contribution, grant or other financial benefit by the City;
 - vi the transfer to or from the City of any interest in or asset of any business, enterprise or institution;
 - vii to arrange a meeting between a public office holder and any other person on any of the subject matters listed in paragraphs (i) to (vi) inclusive; and

(b) the hiring, promoting, demoting, disciplining or terminating of an employee of the City who is a member of the City's Senior Management Team.

"lobbyist" means a consultant lobbyist, in-house lobbyist or voluntary unpaid lobbyist and:

- (a) "consultant lobbyist" means an individual who lobbies for payment on behalf of a client (another individual, a business or other entity);
- (b) "in-house lobbyist" means an individual who is an employee, partner or sole proprietor and who lobbies on behalf of his or her own employer, business or other entity; and
- (c) "voluntary unpaid lobbyist" means an individual who lobbies without payment on behalf of an individual, business or other entity for the benefit of the individual, business or other entity.

"public office holder" means:

- (a) a member of Council and any person on his or her staff; and
- (b) an employee of the City who is a member of the City's Senior Management Team²;

"registration" means a first filing by a lobbyist regarding a subject matter he or she intends to lobby on as set out in subsection 7(1);

"return" means an update of a registration filed by a lobbyist as set out in subsection 7(2).

Responsibilities of the Lobbyist Registrar

3. The Lobbyist Registrar's responsibilities include ...

(d) conducting inquiries in respect of a request made by ... a member of the public about compliance with this By-law, which may include requesting that a public office holder gather information concerning lobbying of him or her and provide that information to the Lobbyist Registrar;

...

(f) enforcing this By-law;

² The "Senior Management Team" at the City is now referred to as the Senior Leadership Team. The SLT is comprised of the City Manager; the General Manager, Community Services; General Manager, Finance and Corporate Services; General Manager, Health and Safety Communities; General Manager, Planning and Economic Development; General Manager, Public Works; Executive Director, Human Resources; and the Director, Communications and Strategic Initiatives.

Lobbying Exemptions

5.(1) Lobbying does not include:

- (a) communication that occurs during a meeting of Council or a Committee of Council;
- (b) communication that occurs during a public process such as a public meeting, hearing, consultation, open house or media event held or sponsored by the City or a public office holder or related to an application;
- (c) communication that is restricted to a request for information;
- (d) communication that is restricted to compliments or complaints about a service or program;
- (e) communication with a public office holder by an individual on behalf of an individual, business or other entity about:
 - (i) the enforcement, interpretation or application of any Act or by-law by the public office holder and with respect to the individual, business or other entity;
 - (ii) the implementation or administration of any policy, program, directive or guideline by the public office holder and with respect to the individual, business or other entity;
 - (iii) a personal matter of the individual, business or other entity unless it is communication that is in respect of a matter that falls under the definition of lobbying, that is for the special benefit of the individual, business or other entity;
- (f) communication by an applicant, an interested party or their representatives with respect to an application for a service, grant, planning approval, permit or other license or permission:
 - (i) with a public office holder if the communication is restricted to providing general information on an application, including a proposed or pending application, or to inquire about the application review process;
 - (ii) with an employee of the City if the communication is part of the normal course of the approval process;
 - (iii) with an employee of the City if the communication is with respect to planning or development applications and the officer or employee has a role in the processing of a planning or development application during the formal preapplication consultation, the filing of the application and the

application review process, including the preparation of development agreements;

- (g) submitting a bid proposal as part of the procurement process and any communication with designated employees of the City as permitted in the procurement policies and procurement documents of the City;
- (h) communication with a public office holder by an individual on behalf of an individual, business or other entity in direct response to a written request from the public office holder;
- (i) communication directly related to those City-initiated consultative meetings and processes where an individual is participating as a stakeholder;
- (j) communication for or against a policy or program that state a position where the primary focus is a broad community benefit or detriment, whether City-wide or local, and where that position would have no direct, indirect or perceived benefit to a business or financial interest of the individual, business or other entity on whose behalf the communication is undertaken;
- (k) communication regarding a business or financial interest by not-for-profit businesses or other not-for-profit entity where such business or entity has no paid staff; or
- (l) communication with a public officer holder by their constituent regarding that constituent's business or financial interest.

5(2) The Lobbyist Registrar may exempt lobbying from some or all the requirements of this By-law if he or she is satisfied in advance by a lobbyist that registration could reasonably be expected to prejudice the economic interests of the City of Hamilton or the competitive position of the City of Hamilton.

Lobbyist Exemptions

6. Lobbyist does not include the following individuals when acting in their public capacity:

government or public sector not including the City and other municipal bodies

- (a) members of the Senate or House of Commons of Canada, the legislative assembly of a province, the council or legislative assembly of a territory, or persons on the staff of the members;
- (b) members of a First Nation council as defined in the Indian Act or of the council of an Indian band established by an Act of the Parliament of Canada, or persons on the staff of the members;

- (c) employees or consultants retained by the Government of Canada, the government of a province or territory, a First Nation council, a federal or provincial crown corporation or other federal or provincial public agency;
- (d) members of a council or other statutory body, including a local board, charged with the administration of the civil or municipal affairs of a municipality in Canada other than the City, persons on staff of the members, or officers or employees of the municipality or local board;
- (e) members of a national or sub-national foreign government, persons on the staff of the members, or officers, employees, diplomatic agents, consular officers or official representatives in Canada of the government;

the City and other municipal bodies

- (f) public office holders;
- (g) members or employees of a local board of the City; or
- (h) members of an advisory committee appointed by Council.

7.(1) A **lobbyist** shall file a registration for each subject matter he or she intends to **lobby** on at least 1 business day before the first lobbying **communication** occurs and the registration shall include:

- (a) his or her name, address and contact information;
 - (b) if he or she is a consultant lobbyist, in-house lobbyist or voluntary unpaid lobbyist;
 - (c) the name of the individual, client or other entity, including all business names under which the individual, client or other entity is operating, on whose behalf he or she is lobbying;
 - (d) the name of the individual or individuals he or she is lobbying;
 - (e) the subject matter and date on which the lobbying will start and finish, with the date on which the lobbying finishes being no more than one year after the date on which the lobbying starts; and (f) such further information as the Lobbyist Registrar may require.
- (2)(a) A lobbyist shall file a return updating any change to his or her registration immediately.
 - (b) If lobbying continues for more than one year, a lobbyist shall file a new registration for each year the lobbying continues.

- (3) The lobbyist is solely responsible for meeting the requirements with respect to registrations and returns set out in this section.

BACKGROUND

The Parties

[8] Jeffrey Cooper resides in Brantford, Ontario and Denis Fourcaudot resides in Burlington, Ontario, with Microshelters Inc. being based in Brantford, Ontario.³ Dave Levac, a former Speaker of the Ontario Legislature, is also based in Brantford.⁴

Auditor General's Report

[9] Communications between the principals of Microshelters Inc. and senior City staff came to light in the course of an investigation conducted by the Office of Hamilton's Auditor General, Charles Brown ("the AG"), regarding the Microshelters single-source contract to supply "tiny homes" to the City. The materials obtained by the AG that were provided to us by his office evidence communications with the City on behalf of Microshelters by Jeffrey Cooper and Denis Fourcaudot, the registered owners of Microshelters Inc., incorporated on August 28, 2024⁵ and Dave Levac, who incorporated Dave Levac Consulting on June 4, 2018.

[10] The AG investigated the Barton-Tiffany Temporary Shelter Project in response to complaints about costs, delays, and vendor selection. His January 15, 2026 report⁶ concludes that the City's outdoor shelter initiative suffered from weak governance, flawed procurement, and poor project and contract management. The shelter project originated as a rapid response to growing homelessness and encampments, with political direction to create a low-barrier tiny shelter community on Barton-Tiffany lands. The AG found that ambitious timelines drove staff toward a single-source approach instead of a competitive procurement. The AG found no evidence of an organized vendor search or public call for proposals before Microshelters Inc. was selected.

[11] The AG Report further found that Microshelters had approached the City as early as May 2024 with a concept deck, but had no proven track record, did not manufacture product itself, and was incorporated only around late August 2024, after the mayoral directive. The City became its only known customer. Units arrived non-compliant, requiring extensive retrofits, which contributed to capital costs of about \$7.9 million and a major budget overrun. The AG made 11

³ "Transcripts of Examinations under Oath under summons by Auditor General, City of Hamilton, June 4 and 12, 2025.

⁴ Dave Levac Linked-in profile as of May 8, 2025 and March 29, 2026 and Mr. Levac's email correspondence, various dates, with City of Hamilton.

⁵ Mr. Fourcaudot's evidence is that he and Mr. Cooper operated under the auspices of 2754698 Ontario Inc. before Microshelters' incorporation: Fourcaudot Transcript under Oath, June 4, 2025, Q. 7-10.

⁶ Office of the Auditor General, City of Hamilton, Appendix "A" to Report AUD26002: "Housing Audits: Barton-Tiffany Temporary Shelters Investigation and Lessons Learned"

recommendations to strengthen research, vendor vetting, contracting, and oversight in future rapid-build projects.

[12] Of relevance to the issue of lobbying, the report states:

Microshelters Inc. staff and their representative made multiple efforts to connect with City senior staff and elected officials to market their product as early as May 2024 (via email). City staff informed Microshelters Inc. on September 11, 2024 that the City is interested in their product. This was prior to City staff receiving direction from Council to utilize a single source procurement to source the shelter structures at the September 25, 2024 Council Meeting.⁷

[13] The following timeline of “some of the key events related to the implementation of the Barton Tiffany Temporary Shelters project (“Barton Tiffany”)” is taken from the AG’s report at p. 6:

June 19, 2024 GIC Direction

Staff were directed to report back on the resources needed to integrate supports at “sanctioned sites”, and to provide a jurisdictional scan of sites and costs.

July 31, 2024 Initial Research of Shelter Pricing

City staff reached out to a provider of shelters in Canada (“Company A”) to obtain an understanding of the pricing and availability of shelter units. The company sent an email containing their prices along with general information and questions about the initiative. The information was not a formal quote.

August 1, 2024 Unsolicited Quote Received

The City received an unsolicited quote for the provision of temporary shelter units from “Company B”.

August 6, 2024 Mayoral Directive

Mayoral Directive MDI 2024-02 was issued directing staff to undertake research “*respecting options for the manufacture and installation of temporary shelter structures within Hamilton including costs, identification of funding sources, potential vendors and potential site*” and to report back with relevant information and recommendations at the September 18, 2024 General Issue Committee (GIC) meeting.

⁷ Ibid., p. 8, para. 58.

August 12, 2024 Report Back to GIC on Sanctioned Sites Research

Staff reported back in response to the June 19, 2024 GIC direction regarding options for sanctioned sites. Included in this information were cost estimates of providing structures within sanctioned sites.

August 13, 2024 Unsolicited Expression of Interest

The city received an expression of interest for the provision of shelters from “Company C”. The information included preliminary price quotes.

August 15, 2024 Initial Pricing Information Received from Microshelters Inc.

City receives a slide deck with pricing and marketing information for the provision of shelter structures from an individual who later incorporated as Microshelters Inc.

August 28, 2024 Incorporation of Microshelters Inc.

Corporate search indicates Microshelters Inc. was incorporated August 28, 2024.

September 18, 2024 Budget/Single Sourcing Approval at GIC

At this GIC meeting, the General Manager, Healthy and Safe Communities, was authorized to single source contracts for procurement of structures, shelter operators and contractors preparing the site for use, and a budget of \$2.8M for the site construction, including shelter installations, was approved.

September 25, 2024 Council Ratifies GIC Approval of Single Sourcing and Budget

The single sourcing recommendation and budget presented at the September 18, 2024 GIC meeting via report HSC24027(b)/FSC24028/PED24162 was approved by Council.

September 27, 2024 Microshelters Inc. Official Quote

Microshelters submitted an official quote at the request of City of Hamilton staff, which, on October 1, 2024, was revised to include a quotation for an office/common area structure.

October 17, 2024 Microshelters Inc. Purchase Order Issued

A Purchase Order CR01551 was issued to Microshelters Inc. in amount of \$2,039,027 (\$2,304,100 including HST).

INVESTIGATION REGARDING COMMUNICATIONS WITH HAMILTON PUBLIC OFFICE HOLDERS BY MICROSHELTERS PRINCIPALS AND AGENTS

[14] Communications between Hamilton public office holders and the Respondents are set out below. The italicized content does not form part of the communications and is provided for context.

Denis Fourcaudot to City Manager Marnie Cluckie, cc. Jeffrey Cooper, May 3, 2024

Subject: Re: Micro Shelters Hi Marnie Hope all is well with you please review attached (30 seconds) Denis

<https://watch.wave.video/1zLhxox1bdsI4Uk1>

Denis Fourcaudot New Cell # <Municipal World Shelter Release.pdf>

CM Marnie Cluckie to Denis Fourcaudot, cc. Jeffrey Cooper, May 12, 2024

Thanks, Denis, I have also passed this along to applicable staff. Have a great weekend.

Denis Fourcaudot to CM Marnie Cluckie, cc. Jeffrey Cooper, May 13, 2024

Thanks Marnie. I'll reach out to you when I get to the conference for us to get together. Or let me know when is a good time for us to meet Denis.

Dave Levac to Mayor Andrea Horwath, cc. Jeffrey Cooper, June 26, 2024

Subject: RE: Meeting/presentation Greetings Mayor Horwath: I hope this email finds you and yours safe and well. Since retiring from the Ontario Legislature, I have established a consulting firm (of one) with the focus on municipal and provincial topics that help develop communities. I have a client, Mr. Jeffrey Cooper, who fits right in the sweet spot of Hamilton's determination to deal with the homeless issue, specifically shelters. I would like to arrange a presentation outlining his new company, Micro Shelters. He is an Indigenous (Six Nations member) entrepreneur determined to help solve the need for affordable space that is reusable. We will be available at your convenience. Could your scheduler provide a few dates and times to meet please? We would welcome an in-person meeting at city hall. Respectfully and regards, Dave Levac Dave Levac Consulting

Dave Levac to Office of the Mayor, cc. Jeffrey Cooper, July 16, 2024

Seeking response to previous meeting request. [forwarding his June 26, 2024 email]

Dave Levac to Sarah Lowe (Mayor's Executive Assistant), cc. Jeffrey Cooper, July 16, 2024

Hi Sarah: My name is Dave Levac, former MPP and Speaker of the Ontario Legislature and a former colleague of Mayor Horwath. I am forwarding a previous email I sent to the City email address provided in your web site. To date, I have not heard from anyone for quite some time. I found your email as directed and I'm hoping we can arrange a meeting with the Mayor. The reason is explained in the first two emails previously sent. I do appreciate the many requests the Mayor receives for meetings. I am confident this meeting request will catch the interest of the Mayor for sure. We are very willing to meet in person with the Mayor. She may want to ask Social Services Senior staff to attend, particularly the one charged with Sheltering the Homeless. We are looking forward to meeting with Andrea. I'd love to catch up and deliver some good news about our product. Kindest regards, Dave Levac

Sarah Lowe to Dave Levac, cc. Jeffrey Cooper, July 18, 2024, 9:57 AM

Hello Dave, Thank you for following up on your initial email. I apologize for the delay. Mayor is away at the moment, as is her Senior Policy Advisor. Once they are back in office, I will reach out to you with meeting options. Best, Sarah

Dave Levac to Sarah Lowe, cc. Jeffrey Cooper, July 18, 2024, 12:24 PM

Hi Sarah: Thank you for your response and for arranging a meeting with the Mayor. I'm sure she'll be impressed. We do have a slide deck and short videos. I'm sure your AV people can help set it up. Looking forward to the meeting. Regards, Dave

Denis Fourcaudot to CM Marnie Cluckie and Executive Assistant, cc. Jeffrey Cooper, July 18, 2024

Subject: Micro Shelters Hi Marnie and [Executive Assistant] Marnie thank you for your text and as instructed I am emailing you. I look forward to meeting with you and or members of your team to discuss our homeless shelter solutions. Please advise potential dates that will work for you. Denis [redacted phone number] <https://microshelters.ca/>

CM Marnie Cluckie to Denis Fourcaudot, cc. Jeffrey Cooper, July 26, 2024

Thanks Denis, We appreciate you reaching out. [Executive Assistant] will work with the applicable team in Housing to coordinate a meeting with you and them. Have a wonderful weekend.

City Manager's Office to GM Grace Mater's Office, July 26-29, 2024

[Internal emails redirecting meeting request and requesting GM Mater's office "to reach out to" Denis Fourcaudot.]

Housing Staff Member A to Denis Fourcaudot, July 30, 2024

Hello Denis. I'm wondering if you would be able to provide us with some cost estimates for the single bunk unit (25 of them) with NO kitchens and bathrooms and a common unit that could include kitchen, washrooms and a common space? Unfortunately, we have a very tight turnaround for this information, so we would appreciate a response in the next day or two if possible. Also happy to set up a call if that's easier. Thanks!

City Manager's Office to GM Grace Mater's Office, August 1, 2024

[Internal email requesting confirmation that Mr. Fourcaudot's meeting request was addressed.]

Housing Staff Member B to Denis Fourcaudot, August 1, 2024

I hope you are doing well and it is a pleasure to e-meet you. I am just checking in to see if there may be any possibility with getting this quote sent over today? We would love the opportunity to work with your team on this but we do have a VERY TIGHT deadline to meet with presenting estimated costs for this proposal. Please feel free to let me know if there is anything further I can provide to help with this process. Thank you so much in advance Denis and looking forward to hearing from you soon!

Sarah Lowe to Dave Levac, cc. Jeffrey Cooper, August 1, 2024, 4:06 PM

Hi Dave, Thank you for your patience. There were a few folks from our office on holidays in July. I would like to set up a preliminary meeting with Mayor's Senior Policy Advisor, Wynne Baker. Would you and Jeff like to attend City Hall or shall we coordinate a virtual meeting? Please let me know. Kind regards,

Dave Levac to Sarah Lowe, cc. Jeffrey Cooper, August 1, 2024, 7:19 PM

Thanks for the email. No worries. I've been around long enough to know the challenges of running a public office. I'll check in with Jeff to determine the mode of communication. (In-person or via virtual) once determined, I'll circle back to you with the answer and set things up. Thanks again, Dave

Denis Fourcaudot to Marnie Cluckie, cc. Jeffrey Cooper, August 5, 2024

Subject: Fwd: meeting request Hi Marnie, Got this from one our consultants. Giving you a heads up and how should we handle this? We have been dealing with [housing staff]. Are you going to AMO Thanks Denis [Forwarded message: August 1, 2024 email from Dave Levac to Sarah Lowe]

Jeffrey Cooper to [Housing staff], August 13, 2024

Invitation accepted August 13 2024: Jeffrey Cooper accepted the invitation for a meeting scheduled on August 15 2024 from 2 30 PM to 3 30 PM UTC. The meeting was organized by [housing staff] and will take place at Mulberry Coffeehouse, 193 James Hamilton L8R2L2, Canada.

Wynne Baker to Dave Levac and Sarah Lowe, cc. Jeffrey Cooper, August 14, 2024, 10:48 AM

Good Morning Dave! Thank you for your patience. I understand that my colleague Sarah had suggested a preliminary meeting between myself, you, and Jeff to discuss Micro Shelters. I am currently booking into the last week of August and have the following days and times available: August 27: 1:00pm, 2:00pm, or 3:00pm August 29: 11:00am or 2:00pm If none of these dates work for you we can take a peek at the first week of September. Best, Wynne Baker Stakeholder Relations and Strategic Initiatives Specialist Office of the Mayor

Dave Levac to Wynne Baker, August 15, 2024, 11:31 AM

Hi Wynne: Both dates work for us. Please take the date and time that best suits you and confirm with me and I'll book with the team. Thank you. Regards, Dave

Emails between GM Grace Mater and Housing Staff A, August 18-19, 2024

[Internal email following up on status of meeting request. Exchange indicates Housing Staff A "met with them in person last week"]

Dave Levac to Wynne Baker, cc. Jeffrey Cooper, August 22, 2024

Hi Wynne: I'm hoping you can send us the date and time for our meeting as the time is running short to book. As earlier indicated, both dates and times work for us and we wish to have you set the date and time best suited to your schedule. We are hoping that the Mayor will join us for a brief introduction as well. Thank you for your attention to this matter. The dates originally provided were August 27th or August 29th. Regards, Dave Levac

Wynne Baker to Dave Levac, August 22, 2024, 10:34 AM

Morning Dave - Apologies for the delay, I was away at a conference! Let's do August 27 at 2pm! Just want to clarify that you're ok to come to City Hall, or would you need virtual? Thanks Wynne

Dave Levac to Wynne Baker, August 22, 2024, 2:55 AM

Subject: Re: Meeting/presentation Hi Wynne: Thanks for getting back to me. That date and time is fine. We will be attending in person. We have a slide deck and video to show. I'm sure we can work out the visual aids when we get there. See you on the 27th at 2:00. Thanks again. Regards, Dave

Wynne Baker to Dave Levac, August 22, 2024

Fabulous! I'll make sure we have a room picked out that is equipped for visual aids and i'll send out a calendar invite tomorrow! Best, Wynne

Wynne Baker to Dave Levac, August 23, 2024

Hey Dave – So sorry – I literally just got slotted into a meeting at 2pm on this date that I'm not able to get out of. Can we make 10am work on the 27th?

Dave Levac to Wynne Baker, August 23, 2024

Hi Wynne: That works for us. No worries. Again, if possible, we would love to have Andrea pop in for introductions/greetings. See you at 10 am on the 27th.

Wynne Baker to Dave Levac and Jeffrey Cooper, August 26, 2024

Meeting w D. Levac re MicroShelters
Scheduled: Aug 27, 2024 at 2:00 PM to 2:30 PM, GMT
Location: MR - City Hall - 2nd Floor - Mayor's Boardroom
Invitees: Baker, Wynne, MR - City Hall - 2nd Floor - Mayor's Boardroom, Jeffrey Cooper

Dave Levac to Wynne Baker, August 26, 2024

We'll see you tomorrow. Dave

Meeting with Wynne Baker, August 27, 2024, 10 am

[Meeting attended by Dave Levac, Jeffrey Cooper and Denis Fourcaudot]

Denis Fourcaudot to Wynne Baker, cc. Jeffrey Cooper, August 27, 2024, 10:37 AM

Subject: Micro Shelter presentation and budget #'s Hi Wynne Thank you for your time Denis and Jeff

[Attachment: MicroShelters Presentation-August-2024(3).pdf]

Denis Fourcaudot to Wynne Baker, cc. Jeffrey Cooper, August 27, 2024

Subject: Re: Micro Shelter presentation and budget #'s Hi Wynne, As a follow up we would like to add : 1/ you can provide us a temporary location to position our Microshelter if needed 2/ 6-8 weeks delivery 3/ no restrictions on number of units ordered eg 20, 200, 500, 1,000..... units Again thanks for your time today Denis / Jeff

Denis Fourcaudot to Wynne Baker, cc. housing staff, September 5, 2024, 1:59 PM

Subject: Fwd: Micro Shelter presentation and budget #'s

Hi Wynne Please review attached. We have put a rental program for your review. Instead of capital budgets we're addressing operational budgets Give me a call to discuss if needed Denis [forwarding Aug 27/24 10:37 AM message from Fourcaudot to Baker]

Wynne Baker to Denis Fourcaudot, cc. housing staff, September 6, 2024

Thanks for this Denis! I'll give it a boo this weekend and reach out if I have any questions. Have a lovely weekend, W

Denis Fourcaudot to Wynne Baker, cc. housing staff, September 6, 2024

Much appreciated and I will in Halifax. Denis

Emails between Denis Fourcaudot and Housing Staff Members A and B, cc. Jeffrey Cooper, Sept 7 - 27, 2024

[These emails relate to logistical issues and culminate in September 27, 2024 email attaching a quote for 40 micro shelters and required accessories and attached 1-page contract dated September 27, 2024.]

Denis Fourcaudot to Marnie Cluckie, October 31, 2024

FYI

Attached: thespec.com, “Micro Shelters” on their way to Barton West site”

Marnie Cluckie to Denis Fourcaudot, November 8, 2024

Thanks.

Denis Fourcaudot to CM Marnie Cluckie, November 22, 2025 (text message)

Hi, good to see you at the conference a few weeks back Is there any chance we could have a quick conversation just to bring you up to speed as to what’s going on? I’m aware our lawyer has contacted your legal really don’t want to escalate this. At least if you had both sides of the story could save a lot of time and embarrassment. If you’re not the right person to talk to, who should I reach out to? [housing staff] or somebody else on the housing team to bring you the message?

CM Marnie Cluckie to Denis Fourcaudot, November 22, 2025 (text message)

Hi Dennis, I hope you are well. I understand this matter is with our respective lawyers now. Therefore, all correspondence should go through them. I cannot discuss this with you. [City lawyer] is the City’s lawyer. [Lawyer’s email address] Thank you. Take care

SUBSEQUENT COMMUNICATIONS INITIATED BY DAVE LEVAC NOT RELATED TO MICROSHELTERS

[15] In reviewing the emails between Dave Levac and Hamilton email addresses obtained through the City’s IT Department, we identified another communication raising lobbying concerns. On September 11, 2025, Mr. Levac emailed the Office of the Mayor, with the following message:

Greetings Mayor Horwath: I hope this email finds you safe and well. It's been some time since working in each the Legislature together. I have been doing a little consulting around the area. I have a client who is working on a major development in Hamilton who wants to meet with you (and staff of your choosing) to discuss the progress of the project. His name is Rommel Lumbao. We were hoping to meet in your office over coffee as soon as possible.

[16] Ms. Lowe replied on September 15, 2025 requesting further information about the meeting and requesting that a Meeting Request form be completed. Among the information requested is the following: Registered Lobbyist: Yes__NO__ [Lobbyist Registry | City of Hamilton](#).

[17] The email also contains the following notice:

IMPORTANT NOTICE: Lobbying of the City of Hamilton’s Mayor, Council and Senior Management Team are subject to the City’s Lobbyist Registry By-law. It’s the responsibility of lobbyists to register their lobbying activity. For more information about the Lobbyist Registry please visit www.hamilton.ca/lobbyistregistry.

[18] There was no reply back from Mr. Levac to this email and he apparently took no steps to register despite receiving this email.

INFORMATION RECEIVED FROM HAMILTON PUBLIC OFFICE HOLDERS

[19] We posed questions to City Manager Marnie Cluckie and the Mayor’s Chief of Staff Uzma Qureshi. Their responses are set out below.

City Manager Marnie Cluckie

[20] We asked City Manager Marnie Cluckie about the extent and circumstances of her communications with Mr. Fourcaudot, including any outside of the emails reviewed above.

Particulars of Discussions

[21] Ms. Cluckie advised that she first met Mr. Fourcaudot at an OMAA (Ontario Municipal Administrators Association) conference in May 2023, to her recollection. Her understanding is that he was attending the conference tradeshow as a vendor. “[Their] interaction was informal, similar to typical conversations that occur between vendors and municipal officials at conference tradeshow.” Mr. Fourcaudot contacted her following that event, indicating that he obtained her contact information through the conference registration list.

[22] Mr. Fourcaudot and she both attended the OMAA conference in May 2024. Mr. Fourcaudot contacted her office about scheduling a meeting during the conference. Her understanding is that her office initially attempted to book a meeting with him at his request; however, no meeting was scheduled and no meeting occurred.

[23] She and Mr. Fourcaudot were also both present at the 2025 OMAA Fall Workshop. She recalls seeing him briefly at the opening event on October 19. He attempted to discuss the Barton Tiffany project at that time, and she advised him that he should speak with the designated City staff leads responsible for the file.

[24] Ms. Cluckie added that she has not met with or seen Mr. Fourcaudot outside of conference or workshop settings.

Circumstances of Mr. Fourcaudot's May 3, 2024 email to CM Cluckie

[25] Ms. Cluckie advised that Mr. Fourcaudot contacted her office by email shortly after she began her role with the City of Hamilton, requesting a meeting. There were follow-up emails from Mr. Fourcaudot to her office in which he requested a meeting. While a meeting was requested and discussed, no meeting was ultimately scheduled and no meeting occurred with her. In July 2024, Mr. Fourcaudot was redirected by her office to the appropriate City staff working on the shelter options (to General Manager Grace Mater).

Whether Mr. Fourcaudot's communications were in response to written requests made by public office holders

[26] Ms. Cluckie denies inviting Mr. Fourcaudot to submit information to her. To her knowledge, no public office holder did so. "Vendors frequently contact City staff and elected officials regarding potential products or services."

[27] She notes that in an email dated July 18, 2024, Mr. Fourcaudot references a text message in which she instructed him to correspond with her via email. His email states, "*Marnie thank you for your text and as instructed I am emailing you.*" Ms. Cluckie advised that she reviewed her available text message records and has not been able to locate that text message. However, it is her typical practice to ask salespersons or vendors to communicate by email rather than text, so that their inquiry can be appropriately redirected to the relevant City staff.

[28] Ms. Cluckie additionally confirmed that she has no knowledge of any public office holder inviting Mr. Fourcaudot, or anyone on behalf of Microshelters Inc, to request a meeting with the Mayor or submit information regarding Microshelters Inc. to the Mayor's Office.

Involvement of Jeffrey Cooper and Dave Levac

[29] Ms. Cluckie stated that she has no knowledge of communications, invitations or meetings involving Jeffrey Cooper or Dave Levac.

Mayor's Chief of Staff Uzma Qureshi

[30] We similarly asked Mayor's Chief of Staff Uzma Qureshi regarding the extent and circumstances of communications between the Respondents and the Mayor's Office.

Relating to Microshelters

[31] Notes from the August 27, 2024 meeting with Mayor's Office staff were provided. These notes of Wynne Baker of the Mayor's Office record that Denis Fourcaudot, Jeffrey Cooper and Dave Levac were in attendance. [Our office reviewed these notes, which are otherwise limited to a description of certain features of the temporary shelters and a circled comment that indicates, "connect with Grace," who we assume is Grace Mater, Hamilton's General Manger, Healthy & Safe Communities.]

[32] There were no other contacts between Mayor's Office staff/Mayor Horwath and the Respondents.

Subsequent Communication from Dave Levac

[33] Mr. Levac further communicated with the Mayor's office in September 2025 to request a meeting on behalf of another client unrelated to Microshelters. Our file materials contained a reply from the Mayor's Executive Assistant Sarah Lowe dated September 15, 2025 attaching a meeting request form to be completed. Mr. Qureshi confirmed that the meeting request form was not returned to the Mayor's Office and that no meeting took place.

[34] Mr. Qureshi advised that the use of a meeting request form is an administrative practice to gather information to better understand the subject and purpose of the meeting request when it is unclear, and to ensure it is directed appropriately. Based on the additional information in the form, some meetings may be directed to staff, while others may be recommended for the Mayor's consideration. Due to staff turnover, it was unknown when the aforementioned administrative practice was adopted.

[35] Ms. Qureshi confirmed there is no meeting request form relating to the August 27, 2024 Microshelters meeting.

RESPONDENTS' RESPONSES

[36] My office provided the Respondents with a summary of the case against them and an opportunity to respond by email on March 27, 2026. We received no responses from Mr. Fourcaudot or Mr. Cooper despite follow-up inquiries; however, in the course of their respective examinations under oath by the AG, both provided explanations for their activities, including what we presumptively consider to be lobbying. We therefore set out summaries of relevant passages from their respective examination transcripts below.

David Levac Response

[37] Mr. Levac provided his response on March 27, 2026 and answered our follow up questions on March 29, 2026. Mr. Levac acknowledged that he attempted to arrange meetings with Mayor Horwath on behalf of Jeffrey Cooper and Rommel Lumbao. With regard to Mr. Cooper, Mr. Levac stated:

My initial contact with Mayor Horwath was initiated as a favour for a friend who asked if I knew her and if I could request a meeting. I volunteered to do so "AT NO COST." I was not paid nor had a retainer with Micro Shelters. My friend knew I served alongside Andrea in the Legislature. I was simply doing a favour for a friend... All other contacts/names mentioned were as a result of the initial contact. That said, I do not believe I have breached the by-law regarding lobbyists.

[38] Regarding Mr. Lumbao, Mr. Levac stated:

The same holds true with Rommel Lumbao. My contact was with only the Mayor under the same situation. No payment made to me with the potential to achieve a possible retainer.

[39] Mr. Levac did not provide a response regarding the application of any lobbying or lobbyist exemptions other than to indicate that he did not know Mr. Lumbao's intent in seeking a meeting with the Mayor beyond what is stated in his email ("I have a client who is working on a major development in Hamilton who wants to meet with you (and staff of your choosing) to discuss the progress of the project").

Examinations under Oath by the Auditor General, City of Hamilton

Denis Fourcaudot, June 4, 2025

[40] Mr. Cooper is a retired RCMP officer while Mr. Fourcaudot has a background "working with municipalities" in connection with social housing projects. They co-founded Microshelters with Mr. Cooper owning 51 percent and Mr. Fourcaudot owning 49 percent. Pre-incorporation Microshelters activities were conducted under the auspices of a numbered company owned by Mr. Fourcaudot. Mr. Fourcaudot was predominantly handling sales and "every once in a while Jeff would step in."⁸

[41] City Manager Marnie Cluckie was Microshelters' first and initial point of contact with City of Hamilton. Mr. Fourcaudot knew Ms. Cluckie from municipal conferences where he had identified her as "someone [they] should be talking to".⁹ Regarding his communications with Ms. Cluckie in 2024, he stated, "I reached out to her as to who we should be talking to in housing and she directed us to [them]."¹⁰ Ensuing communications with staff led to an August 16, 2024 meeting with staff attended by himself and Mr. Cooper followed by continuing communications with staff.

[42] There was no meeting or discussion with Ms. Cluckie: The following exchange is found at Q. 66-67 of the transcript:

Q.you mentioned some municipal conferences I think like CM's, AMO. Did you try to meet with Marnie Cluckie at an AMO in 2024 or any other prior year?

A. I don't think so.

Q. Okay.

A. No, I tried to meet with her, but, again, these high officials are tough to get, they're very busy.

⁸ Q. 20.

⁹ Q. 60.

¹⁰ Q. 61.

[43] Regarding Mr. Levac, Mr. Fourcaudot downplayed his role: “[H]e was introduced to my partner in Brantford and then he introduced us to Hamilton after we were already engaged with the City of Hamilton through [staff member] and Marnie Cluckie.”¹¹ Specifically, Mr. Levac arranged a meeting with Wynne Baker of the Mayor’s Office on August 27, 2024, which Mr. Fourcaudot and Mr. Cooper attended (along with Mr. Levac) “out of courtesy” since it had been arranged.¹² In his view, the meeting with Wynne Baker was unnecessary and did not give rise to any business. There was no contractual arrangement with Mr. Levac and since no business flowed from the August 27, 2024 meeting, Mr. Levac received no compensation for his efforts.¹³

Jeffrey Cooper, June 12, 2025

[44] Mr. Cooper’s evidence was that the sales responsibilities were split, with the specific roles described as follows (para 14):

We both split the sales.... Denis does a lot of on-the-road sales, so going to conferences, making connections that way. We attend sales video calls, MS Teams, Zoom jointly. We reach out to municipalities, to other third party opportunities jointly. He has a more technical knowledge about building and about that space than I do. I look after a lot of the administrative, so paying bills, coordinating some meetings. I looked after, in this instance, the shipping, the customs. So more the administrative side. Denis seems to be more the hands-on sort of side.¹⁴

[45] Regarding Dave Levac’s emails to the Mayor’s Office, Mr. Cooper stated, “I was introduced to Dave by a policing executive leader that I was talking to about Microshelters and I mentioned we were struggling getting in front of municipal people. And he recommended that I reach out to -- or he would connect me with Dave. So that's how we were connected.”¹⁵

[46] Mr. Cooper provided the following sequence of events relating to Mr. Levac:

So what I was having, myself and Levac, I wanted to share that with Denis because I was looking after the Dave Levac angle and Denis was looking after Hamilton through the CAO Marnie Cluckie. And I said: "I'm not saying anything to Dave about you working with Marnie. I think whatever meeting comes first we take." So that was July 18th.

And then we go to August 1st. This is an email from myself to Denis and I said: “How do we respond to the below email? It looks like Dave has set us up for a meeting with Mayor Horvath's policy advisor in Hamilton. I say we go ahead and

¹¹ Q. 37.

¹² Q. 55.

¹³ Q. 48-49.

¹⁴ Q. 13-14.

¹⁵ Q. 28.

book the meeting while we submit our quote." So we had already submitted a quote through Denis's contacts with [housing staff] -- I believe it was [housing staff].

And then four days after that on August 5th, Denis sends an email to Marnie and he says: "Got this from one of our consultants." He's talking about Dave Levac. He says: "Giving you a heads-up and how should we handle this? We've been dealing with [housing staff]." So he's already dealing with that, but Dave already set us up for another meeting.

So then the next significant email I had with Dave I said: "Hi, Dave. Kindly book any of the dates, times noted. Denis and I are open and eager to attend. For transparency we were also talking with the CAO and the housing team. So once confirmed, we will also invite the group we are talking with. Very exciting news."¹⁶

[47] Mr. Cooper's evidence regarding Microshelters' arrangement with Mr. Levac in terms of compensation was similar to that of Mr. Fourcaudot. He stated:

As a matter of fact, after we had signed the agreement with Hamilton I actually called Dave because I knew Dave was going to find out we had a contract and he had introduced us to the mayor's office. So I said to Dave, "Dave, I just wanted to call you to let you know we did get a contract with Hamilton, but it had nothing to do with your introduction to the mayor's office. We never heard back from them again. And so we've been talking, like I sent an email to housing and that one did come through. So I wanted to let you know so you don't feel like there's any compensation coming to you or required." And so he was fine with that. "No, I understand, you were transparent with me in letting me know what was going on."¹⁷

ANALYSIS AND FINDINGS

Issues

[48] As of March 29, 2026, neither Mr. Cooper, Mr. Fourcaudot nor Mr. Levac had ever registered as lobbyists since the LR By-law took effect on August 1, 2015.

[49] Whether the Respondents have contravened s. 7. (1) of the LR Bylaw, which requires that a registration be filed in advance of lobbying "public office holders," turns on the determination of the following issues:

1. Was there communication with one or more public office holders (definition of lobby)?
2. Are the Respondents lobbyists (definition of lobbyist)?

¹⁶ Q. 39-40.

¹⁷ Q. 41.

3. Was the communication carried out with goal of advancing a business or financial interest (definition of lobby)?
4. Did the communication relate to one or more of the enumerated subject matters (definition of lobby)?
5. Are there any exemptions that apply to the communications (exemptions to the definition of lobbying)?

Issue 1: Was the communication with a public office holder?

[50] “Lobby” under Section 1 of the LR By-law means to communicate with a public office holder under specified circumstances. Therefore, it must be established that there has been communication with public office holders.

[51] Under the LR By-law, "**public office holder**" means: (a) a member of Council and any person on his or her staff; and (b) an employee of the City who is a member of the City's Senior Management Team.

[52] Regarding subsection (a) of the definition of public office holder, the Respondents communicated with Sarah Lowe and Wynne Baker, being members of Mayor Horwath’s staff. Specifically, Dave Levac communicated with Sarah Lowe, the Mayor’s Executive Assistant. Dave Levac, Jeffrey Cooper and Denis Fourcaudot communicated with Wynne Baker, Stakeholder Relations and Strategic Initiatives Specialist in the Office of the Mayor.

[53] Regarding section (b) of the definition, Denis Fourcaudot communicated with City Manager Marnie Cluckie, “an employee of the City who is a member of the City's Senior [Leadership] Team.”

[54] City Manager Cluckie passed on Mr. Fourcaudot’s meeting requests to departmental staff to address, advising her assistant that the earliest she could meet Mr. Fourcaudot herself would be mid-September. It appears that the bulk of Mr. Fourcaudot’s substantive communications, i.e., sales pitches, with the City were with/to City housing staff. As these employees are not members of the Senior Leadership Team and are not part of a Council Member’s staff, they are not public office holders and therefore any communications with them do not fall within the definition of lobbying.

[55] I conclude that the “communication with a public office holder” element of lobbying is satisfied with respect to the Respondents as follows:

- Mr. Fourcaudot with respect to his emails and text messages to City Manager Marnie Cluckie and Wynne Baker of the Mayor’s Office and his attendance at the August 27, 2024 meeting with Wynne Baker;
- Mr. Cooper with respect to his attendance at the August 27, 2024 meeting with Wynne Baker;
- Mr. Levac with respect to his June 26, 2024 and September 11, 2025 emails to Mayor Andrea Horwath, his emails with Mayor’s Office staff Sarah Lowe and

Wynne Baker and his attendance at the August 27, 2024 meeting with Wynne Baker.

[56] Based on the wording and content of emails involving the Respondents and individuals with a Hamilton.ca domain name, internal emails, information obtained from public office holders and the Auditor General's investigation, we see no evidence of any other communications between the Respondents and Hamilton public office holders.

Issue 2: Are the Respondents Lobbyists?

[57] Under the LR By-law, "lobbyist" means a consultant lobbyist, in-house lobbyist or voluntary unpaid lobbyist and:

- (a) "consultant lobbyist" means an individual who lobbies for payment on behalf of a client (another individual, a business or other entity);
- (b) "in-house lobbyist" means an individual who is an employee, partner or sole proprietor and who lobbies on behalf of his or her own employer, business or other entity; and
- (c) "voluntary unpaid lobbyist" means an individual who lobbies without payment on behalf of an individual, business or other entity for the benefit of the individual, business or other entity.

[58] Mr. Fourcaudot and Mr. Cooper communicated with public office holders on behalf of a business they themselves operated. Accordingly, each of them falls within the definition of "in-house lobbyist".

[59] Mr. Levac introduced himself to public office holders as a consultant on behalf of his clients, Microshelters in the case of his communications commencing June 26, 2024 and Rommel Lumbao in the case of his September 11, 2025 communication.

[60] Mr. Levac states that he was not on retainer and was not paid for either instance of communication. Rather, he was simply doing favours for friends. According to Mr. Fourcaudot and Mr. Cooper, Mr. Levac was not paid since no business arose from his introduction.

[61] While the distinction between consultant lobbyists and voluntary unpaid lobbyists is relevant to the provincial lobbying regime and in respect of which exemptions may apply, it is not relevant to the application of Hamilton's LR By-law. Based on Mr. Cooper and Mr. Fourcaudot's characterization, I find that Mr. Levac falls within the definition of "consultant lobbyist". In any event, based on Mr. Levac's characterization, he falls within the definition of "voluntary unpaid lobbyist".

[62] I conclude that all three Respondents are lobbyists to the extent that their communications can otherwise be characterized as lobbying, which I find to be the case with respect to essentially all of their communications with Hamilton public office holders.

Issue 3: Were the communications were carried out with the goal of advancing a business or financial interest?

[63] The definition of “lobby” includes communication on seven enumerated subject matters “with the goal of advancing a business or financial interest.”

[64] Mr. Fourcaudot and Mr. Cooper’s operations under the Microshelters business were directed at marketing, sourcing and selling temporary shelters to the City of Hamilton at a markup. Mr. Fourcaudot, Mr. Cooper and Mr. Levac communicated with public office holders as detailed above to promote this business and to close the aforementioned transaction.

[65] There is a September 11, 2025 email from Dave Levac to the Mayor requesting a meeting on behalf of a developer client, which is unrelated to Microshelters. Based on the wording of that email (“I have a client who is working on a major development in Hamilton who wants to meet with you ... to discuss the progress of the project”), the communication was made with the goal of advancing a financial interest.

[66] I conclude that Mr. Fourcaudot, Mr. Cooper and Mr. Levac communicated with the goal of advancing a business or financial interest.

Issue 4: Was the communication about one or more of the enumerated subject matters?

[67] In order to constitute lobbying, the communication must be on, i.e., regarding or pertaining to, at least one of the following subject matters:

- (i) the development, introduction, passage, defeat, amendment or repeal of a City by-law, bill or resolution on any matter;
- (ii) the development, approval, amendment or termination of a City policy, program, directive, guideline, including but not limited to a service delivery model;
- (iii) the purchase of goods, services or construction and the award of a contract by the City;
- (iv) the approval, approval with conditions, or refusal of an application for a service, grant, planning approval, permit or other licence or permission by the City;
- (v) the award of any financial contribution, grant or other financial benefit by the City;
- (vi) the transfer to or from the City of any interest in or asset of any business, enterprise or institution;
- (vii) to arrange a meeting between a public office holder and any other person on any of the subject matters listed in paragraphs (i) to (vi) inclusive; or

(viii) the hiring, promoting, demoting, disciplining or terminating or an employee of the City who is a member of the City’s Senior Management Team (not necessary to establish a goal of advancing a business or financial interest for this subject matter).

[68] In this case, it is straightforward that the communications related to the subject matter described in Subsection (a)(iii) of the definition of “lobby” under Section 1 of the By-law, namely, the purchase of goods, services or construction and the award of a contract by the City.

[69] The subject matter described in Subsection (a)(vii), to arrange a meeting between a public office holder and any other person on any of the subject matters listed in paragraphs (i) to (vi) inclusive, also applies to the earlier stage communications.

[70] In the case of the September 11, 2025 email from Dave Levac to the Mayor requesting a meeting on behalf of a developer client “who is working on a major development in Hamilton who wants to meet with you (and staff of your choosing) to discuss the progress of the project,” the precise enumerated category is unclear but it appears likely that subject matter (iv), encompassing planning approvals, applies.

[71] Regarding the communications with Ms. Cluckie initiated by Denis Fourcaudot on November 22, 2025 via text message requesting a conversation to explain his perspective with respect to Auditor General’s investigation, we find that the goal was likely to advance a business or financial interest, specifically, to attempt to thwart the development of a resolution by Council to initiate legal action against Microshelters, which would be captured by s. 1 “lobby” (a)(i), “the development, introduction, passage, defeat, amendment or repeal of a City by-law, bill or resolution on any matter.” However, as the precise intent is unclear and we do not have Mr. Fourcaudot’s views on the subject, we are prepared to draw no conclusion with respect to this particular communication.

[72] I conclude that the vast majority, if not all, of the Respondents’ communications with public office holders relate to an enumerated subject matter and therefore meet this aspect of the definition of lobbying.

Issue 5: Are there any applicable lobbying exemptions that apply?

[73] Under s. 5(1) of the By-law, there are numerous enumerated circumstances where communications do not constitute lobbying notwithstanding that they are made to public office holders on the enumerated subject matter with the goal of advancing a business or financial interest. They can be generally described as routine communications in connection with commonplace contexts or regulated processes.

[74] Regarding the Microshelters communications, the majority of exemptions are inapplicable on their face to communications regarding the sale of goods to the City, e.g., planning approvals, stakeholder consultations, constituency communications, etc. In determining which exemptions to consider in more detail, we considered the following contextual factors:

- Mr. Fourcaudot's evidence under oath that he contacted City Manager Marnie Cluckie to determine who Microshelters should be talking to regarding the sale of their product;
- The Respondents' communications with the City resulted in a single source contract. The Respondents were requested by City employees to provide cost estimates, quotes and logistical information in the leadup to GIC authorization of single sourcing and budget on August 18, 2024, which was ratified by Council on September 25, 2024. Single-source contracting is addressed by City of Hamilton By-Law No. 20-2025, A By-Law to Adopt and Maintain a Procurement Policy for the City of Hamilton, Policy 11;
- The possibility that Denis Fourcaudot was responding to a written request when he communicated with City Manager Marnie Cluckie in light of their prior acquaintance and the wording of the emails;
- As distinct from the Microshelters communications, the September 11, 2025 communication of Mr. Levac regarding his client Mr. Rommel Lumbao appears to relate to a planning application;
- The possibility that a lobbying exemption was required in furtherance of the City's economic interests.

[75] In light of the foregoing, we considered the following lobbying exemptions:

- Section 5(1)(c) – communication that is restricted to a request for information;
- Section 5(1)(f)(i) communication by an applicant, an interested party or their representatives with respect to an application for a service, grant, planning approval, permit or other license or permission ... (i) with a public office holder if the communication is restricted to providing general information on an application, including a proposed or pending application, or to inquire about the application review process;
- Section 5(g) – submitting a bid proposal as part of the procurement process and any communication with designated employees of the city as permitted in the procurement policies and procurement documents of the City;
- Section 5(1)(h) – communication with a public office holder by an individual on behalf of an individual, business or other entity in direct response to a written request form the public office holder;
- Section 5(2) – The Lobbyist Registrar may exempt lobbying from some or all of the requirements of this By-law if he or she is satisfied in advance by a lobbyist that registration could reasonably be expected to prejudice the

economic interests of the city of Hamilton or the competitive position of the city of Hamilton.

Request for Information – Section 5(1)(c)

[76] Mr. Fourcaudot’s evidence regarding his communications with Ms. Cluckie is that he “reached out to her as to who we should be talking to in housing and she directed us to [them].” However, he also conceded under oath that he did attempt to meet with her at a municipal conference but was unable to secure a meeting. This is consistent with the text of the emails that were exchanged as well as the evidence of Ms. Cluckie.

[77] Pursuant to 5.(1)(c) of the By-law, “[l]obbying does not include ... communication that is restricted to a request for information.”

[78] Based on the testimony of Mr. Cooper, the pair were “struggling to get in front of” municipal officials and for that reason orchestrated a two-pronged campaign to do so, one involving Mr. Fourcaudot via City Manager Cluckie and the other involving Mr. Cooper via Mr. Levac and the Mayor’s office. Additionally, it is clear from the wording of the requests made by both Mr. Fourcaudot and Mr. Levac that these were requests for meetings, not just information. Additionally, the requests were for meetings with public office holders and not with staff. Finally, they continued to communicate with public office holders even after they were in communication with staff. There is no evidence of any information being requested at the August 27, 2024 meeting with Wynne Baker.

[79] I conclude that the exemption under s. 5(1)(c) of the By-law for communication restricted to a request for information does not apply.

Procurement Process – Section 5(1)(g)

[80] Section 5(1)(g) of the LR By-law provides an exemption for “submitting a bid proposal as part of the procurement process and any communication with designated employees of the City as permitted in the procurement policies and procurement documents of the City.”

[81] As described in more detail above, relevant events in relation to the single source procurement documented in the Auditor General’s investigation are as follows:

- June 19, 2024 GIC Direction – staff directed to research resources, scan sites and costs;
- July 31, 2024 Initial Research of Shelter Pricing – staff obtained pricing information from Company A;
- August 1, 2024 Unsolicited Quote Received by staff from Company B;
- August 6, 2024 Mayoral Directive MDI 2024-02 – research options for the manufacture and installation of temporary shelter structures including costs and potential vendors; report back Sept 18, 2024 GIC;

- August 12, 2024 Report Back to GIC on Sanctioned Sites Research;
- August 13, 2024 Unsolicited Expression of Interest – by staff from Company C;
- August 15, 2024 Initial Pricing Information Received from Microshelters Inc. (by staff);
- August 28, 2024 Incorporation of Microshelters Inc.;
- September 18, 2024 Budget/Single Sourcing Approval at GIC - \$2.8 Million for site construction, including shelter installations;
- September 18, 2024 GIC meeting via report HSC24027(b)/FSC24028/PED24162 was approved by Council;
- September 25, 2024 Council Ratifies GIC Approval of Single Sourcing and Budget;
- September 27, 2024 Microshelters Inc. Official Quote (received by staff);
- October 17, 2024 Microshelters Inc. Purchase Order Issued for \$2,039,027 (\$2,304,100 including HST).

[82] City of Hamilton By-Law No. 20-2025, A By-Law to Adopt and Maintain a Procurement Policy for the City of Hamilton, Policy 11 provides:

The General Manager of the Client Department will approve the Non-competitive Procurement Form, justifying the need to use this Policy #11 [i.e., single-source contracting policy] *prior to City staff entering into any discussions with any vendor regarding the purchase of the Goods and/or Services* [emphasis added]. This process may be adopted when any of the following conditions apply:

- (a) when Goods and/or Services are judged to be in short supply due to market conditions (short supply);
- (b) when a single source (for the purpose of this policy this shall include sole source transactions) for the supply of a particular Good and/or Service is being recommended because it is more cost effective or beneficial for the City (single source);
- (c) where a City Contract has expired or will very shortly expire and unforeseeable circumstances have caused a delay in issuing a new RFP or RFT so that a Contract extension is required (Contract extension).

- (2) Council must approve any requests for negotiations for: (a) a single source as set out in subsection (1)(b) of this Policy #11, where the cumulative value of the Policy 11 exceeds a multi-year value of the proposed procurement is \$250,000 or greater.

[83] Applying Policy 11 to the timeline of events, the “procurement process” and “communication with designed employees of the City as permitted in the procurement policies and procurement documents of the City” could only have begun on September 25, 2024 when Council ratified GIC approval of single sourcing and budget. Under this framework, communications prior to this time might be more appropriately described as market research, advertising or sales pitches.

[84] We note that with respect to the Section 5(1)(g) element of “submitting a bid proposal as part of the procurement process,” the Procurement By-law defines “bid” as an offer or submission from a vendor in response to a Request for Quotations, Request for Tenders, Request for Proposals, Request for Rostered Candidates or Request for Prequalification issued by the City. There were no such Requests issued in the circumstances of this case and therefore this element is not satisfied.

[85] In summary, the Respondents’ communications with public office holders before Council’s September 25, 2024 ratification of single-sourcing of the project do not constitute procurement communications.

[86] Mr. Fourcaudot’s email to CM Cluckie dated October 31, 2024 forwarding a Hamilton Spectator article with respect to the delivery of micro shelters is not a routine procurement-related communication.

[87] Mr. Levac’s email to the Mayor dated September 11, 2025 requesting a meeting on behalf of another client does not relate to a procurement process.

[88] We conclude that none of the Respondents’ communications with public office holders are exempted by the Section 5(1)(g) lobbying exemption for procurement communications.

Response to Public Office Holder’s Written Request – Section 5(1)(h)

[89] Section 5(1)(h) of the LR By-law provides an exemption for “communication with a public office holder by an individual on behalf of an individual, business or other entity in direct response to a written request from the public office holder”.

[90] We considered the possibility that Mr. Fourcaudot was communicating with CM Cluckie in response to requests by her or other public office holders given his apparent acquaintance with her prior to his May 3, 2024 email to her, as well as his July 18, 2024 email that reads as follows:

Hi Marnie and Rosanna Marnie thank you for your text and as instructed I am emailing you. I look forward to meeting with you and or members of your team to discuss our homeless shelter solutions. Please advise potential dates that will work for you. Denis

[91] As set out above, we reached out to City Manager Cluckie to ask for the text message referenced above as well as to advise whether any of Mr. Fourcaudot's communications were solicited to her knowledge. CM Cluckie advised that she was unable to locate the above-noted text; however, it is her typical practice to respond to texts with a request that communications be sent by email so they can be forwarded to relevant departments for action.

[92] CM Cluckie further advised that none of the Respondents were invited by her to submit information to or otherwise contact her or the Mayor's Office. She has no knowledge of any other public office holder doing so.

[93] In view of the fact that there likely was, technically, a written request from a public office holder, the contents of which we are unable to confirm, we are prepared to find that the s. 5(1)(h) exemption does apply to Mr. Fourcaudot's July 18, 2024 communication. There is no evidence that the exemption applies to any other emails.

[94] On July 30, 2024 and August 1, 2024, Mr. Fourcaudot was requested to provide a cost estimate/quote by two different City housing employees. As set out under "Communication with a Public Office Holder", neither of the Housing staff members are public office holders and therefore Mr. Fourcaudot's communications with these City employees is not considered lobbying under the LR By-law.

[95] We conclude that Mr. Fourcaudot's July 18, 2024 email to CM Cluckie is exempted from the definition of lobbying pursuant to Section 5(1)(h) of the By-law. The exemption does not apply to any other communications between the Respondents and public office holders.

General Information on Planning Approval - Section 5(1)(f)(i)

[96] Mr. Levac's September 11, 2025 email to the Mayor requesting a meeting on behalf of a developer client appears to relate to planning approvals. As indicated above, Mr. Levac indicated that he was communicating on behalf of a developer client "who is working on a major development in Hamilton who wants to meet with you (and staff of your choosing) to discuss the progress of the project."

[97] Section 5(1)(f)(i) exempts communication by an applicant, an interested party or their representatives with respect to an application for a service, grant, planning approval, permit or other license or permission ... with a public office holder if the communication is restricted to providing general information on an application, including a proposed or pending application, or to inquire about the application review process.

[98] Mr. Levac advises that he does not know whether the meeting request was initiated to communicate or obtain general information rather than to expedite a planning application etc. In the context of an individual describing themselves to a public office holder as "consulting" and communicating on behalf of a "client," it is incumbent on the individual to establish that a lobbying exemption applies to his or her communication.

[99] In the absence of specific evidence that this exemption applies, I decline to apply it.

City's Economic Interests – Section 5(2)

[100] In addition to the exemptions under s. 5(1), there is an exemption under s. 5(2) whereby “the Lobbyist Registrar may exempt lobbying from some or all of the requirements of this By-law if he or she is satisfied in advance by a lobbyist that registration could reasonably be expected to prejudice the economic interests of the City of Hamilton or the competitive position of the City of Hamilton”. As no exemption was sought in advance of the communications, this exemption does not apply. Additionally, there is no evidence that registration would have had any negative impact on the economic interests of the City.

CONCLUSIONS REGARDING THIS INQUIRY

[101] I conclude that the Respondents lobbied Hamilton public office holders without registering as lobbyists on the Lobbyist Registry in advance of doing so (or at any time subsequently). The communications that constitute lobbying include Denis Fourcaudot’s communications with City Manager Marnie Cluckie, with the exception of his July 18, 2024 email, Dave Levac’s solicitation of a meeting with the Mayor/Mayor’s office staff and the attendance of all three Respondents at a meeting with the Mayor’s policy advisor Wynne Baker. A complete list of the communications that constitute unexempted lobbying in respect of which I have found that the Respondents breached the LR By-law is found at Appendix “A”.

APPROPRIATE PENALTY

[102] Section 9(1) provides that the Lobbyist Registrar may prohibit an individual from lobbying, as follows, if the Lobbyist Registrar finds that the individual has contravened any of the provisions of this By-Law:

- (a) For 30 days for a first contravention;
- (b) For 60 days for a second contravention;
- (c) For a period of time longer than 60 days as determined by the Lobbyist Registrar for a third or subsequent contravention.

[103] Pursuant to s. 9(2), when the Lobbyist Registrar prohibits an individual from lobbying, the Lobbyist Registration shall:

- (a) Notify the individual and all public office holders of the prohibition and the reason or the prohibition in such manner as the Lobbyist Registrar determines; and
- (b) Post the prohibition and the reason for the prohibition on the City’s website.¹⁸

[104] This is the first finding of a contravention of the LR By-law on the part of each of the Respondents to my knowledge.

¹⁸ This report is being provided to Council for information purposes only as decisions of the Lobbyist Registrar are not subject to Council review: see s. 9. (1), LR By-law.

[105] Registration is a simple step that can be completed annually at no cost. All three of the Respondents were sophisticated individuals with experience dealing with government officials and politicians. In all the circumstances, I find that a 30-day penalty is, at minimum, appropriate for each of the Respondents, and that is the maximum penalty which the By-law provides for first offences.

ADDITIONAL REMEDIAL MEASURES

[106] The Complaint requests the following specific findings and remedies:

1. Find that the owners/principals of Microshelters Inc. engaged in unregistered lobbying in violation of the Lobbyist Registry By-law.
2. Find that the lobbying was unsolicited, sustained, and directed at public office holders, including the Mayor's Office.
3. Find that City officials provided expressions of interest prior to Council authorization, contrary to the principles of transparent governance.
4. Order and publish all correspondence (emails, attachments, presentations, messages) between: Microshelters' principals, and City staff, senior management, and the Mayor's Office
5. Recommend any additional remedial or policy changes necessary to prevent recurrence.

[107] With respect to 1 and 2, above, we have found that the owners/principals of Microshelters Inc. engaged in unregistered lobbying in violation of the Lobbyist Registry By-law and that the lobbying was unsolicited, sustained (in the sense that there were multiple angles pursued and multiple follow ups), and directed at public office holders, including the Mayor's Office.

[108] For the purposes of this report, we decline to make the finding requested at 3, above, as it is beyond the scope of a Lobbyist Registrar investigation.

[109] With respect to the request that we order and publish all correspondence between the Respondents and Hamilton public office holders, we have summarized and in some cases quoted from the text of these communications.

[110] With respect to recommendations to prevent recurrence, we note that the Mayor's Office occasionally utilizes a meeting request form when the intent of a meeting request is unclear per the evidence of Chief of Staff Uzma Qureshi. The form asks the parties requesting a meeting with the Mayor to clearly outline the subject matter of the meeting and additionally asks them to identify whether or not they are a registered lobbyist.

[111] While there is no requirement in the LR By-law to take proactive steps, which we regard as an omission, we strongly recommend that inquiries be made of the nature of requested meetings and whether the person is registered as a lobbyist by all Members of Council and the Senior

Leadership Team in advance of first discussions with members of the public as a matter of good practice. While one or more of the nature of the requestor, subject-matter of the discussion or reason for the discussion may not necessitate registration as a lobbyist, it will at least spur the requestor to consider whether they should be registering.

CONCLUSIONS REGARDING THE COMPLAINT

[112] I have found that Jeffrey Cooper, Denis Fourcaudot and Dave Levac violated Section 7(1) of the LR Bylaw which prohibits lobbying without registration as such on the Lobbyist Registry. These individuals are prohibited from lobbying for 30 days. This prohibition period will commence on the date of the Hamilton Council meeting at which this Report is tabled.

[113] If Mr. Cooper, Mr. Fourcaudot or Mr. Levac intend to engage in further lobbying once the prohibition ends, I urge them to register as lobbyists pursuant to the LR By-law.

[114] This concludes my investigation.

Respectfully Submitted,



David G. Boghosian,
Lobbyist Registrar,
City of Hamilton

APPENDIX “A”

SUMMARY OF COMMUNICATIONS CONSTITUTING LOBBYING FOR WHICH NO EXEMPTION TO REGISTRATION APPLIES

1. Communications initiated by Denis Fourcaudot, May 3, 2024, cc. Jeffrey Cooper

- May 3 2024: Denis Fourcaudot sent an email to Marnie Cluckie at 7:18 AM, attaching a document titled "Municipal World Shelter Release.pdf" and requesting her review. Jeffrey Cooper and CM Cluckie's executive assistant were copied on the email. Denis Fourcaudot included his contact information in the email.
- May 12 2024: Marnie Cluckie sent an email to Denis Fourcaudot, CM Cluckie's executive assistant and Jeffrey Cooper at 9:46 PM, acknowledging receipt of the document and confirming that it had been passed along to applicable staff.

This is lobbying of a member of the City's Senior Leadership Team by an in-house lobbyist regarding the purchase of goods by the City. We have not been provided with any evidence that the information was requested by CM Cluckie in writing or that another exemption applies.

2. Communications initiated by Denis Fourcaudot, May 13, 2024

- May 13 2024: Denis Fourcaudot sent an email to Marnie Cluckie at 10:01 AM, expressing his intention to reach out to her during the conference to arrange a meeting. He also invited her to suggest a convenient time for them to meet.

This is lobbying of a member of the City's Senior Leadership Team by an in-house lobbyist to arrange a meeting regarding the purchase of goods by the City. There is no evidence that an exemption applies.

3. Communications initiated by Dave Levac, June 26, 2024, cc. Jeffrey Cooper

- June 26 2024: Dave Levac sent an email to Mayor Andrea Horwath, introducing himself as a former MPP and Speaker of the Ontario Legislature who has established a consulting firm focused on municipal and provincial topics. He mentioned his client, Jeffrey Cooper, an Indigenous entrepreneur and Six Nations member, who has developed a company called Micro Shelters aimed at addressing the need for affordable and reusable shelter spaces for the homeless. Dave Levac requested an in-person meeting at City Hall and asked for available dates and times for the meeting. The email was also copied to Jeffrey Cooper.

This is lobbying of a Member of Council by a consultant lobbyist regarding the purchase of goods by the City. There is no evidence that an exemption applies.

4. Communications initiated by Dave Levac, July 16, 2024, cc. Jeffrey Cooper

- July 16 2024: Dave Levac sent a follow-up email to the Mayor's Executive Assistant Sarah Lowe, forwarding his previous email to Mayor Horwath. He expressed that he had not received a response for quite some time and reiterated his request for a meeting with the Mayor. He suggested that Social Services Senior staff, particularly the individual responsible for sheltering the homeless, might also attend the meeting. Dave Levac expressed confidence that the meeting request would catch the Mayor's interest and mentioned his willingness to meet in person to deliver good news about his product.
- July 18 2024: Sarah Lowe responded to Dave Levac's follow-up email, apologizing for the delay and informing him that the Mayor and her Senior Policy Advisor were currently unavailable. Sarah Lowe assured Dave Levac that she would reach out with meeting options once they returned to the office.
- July 18 2024: Dave Levac thanked Sarah Lowe for her response and expressed his anticipation for the meeting with the Mayor. He mentioned that he had a slide deck and short videos prepared for the presentation and requested assistance from the AV team.

This is lobbying of a member of the Mayor's staff by a voluntary unpaid or consultant lobbyist to arrange a meeting regarding the purchase of goods by the City. There is no evidence that an exemption applies.

5. Communications initiated by Dave Levac, August 1, 2024, cc. Jeffrey Cooper

- August 1 2024: Sarah Lowe emailed Dave Levac to propose a preliminary meeting with Wynne Baker, Mayor's Senior Policy Advisor. Sarah Lowe suggested either an in-person meeting at City Hall or a virtual meeting and requested confirmation from Dave Levac and Jeffrey Cooper regarding their attendance. Sarah Lowe mentioned that some staff members were on holiday in July, which delayed the communication.
- August 1 2024: Dave Levac responded to Sarah Lowe's email, expressing understanding of the challenges of running a public office. Dave Levac stated he would check with Jeffrey Cooper to determine the mode of communication (in-person or virtual) and would follow up with Sarah Lowe to finalize the meeting arrangements.

This is lobbying of a member of the Mayor's staff by a voluntary unpaid or consultant lobbyist to arrange a meeting regarding the purchase of goods by the City. There is no evidence that an exemption applies.

6. Communications initiated by Denis Fourcaudot, August 5, 2024

- August 5 2024: Denis Fourcaudot forwarded Dave Levac's August 1, 2024 email to Marnie Cluckie, Ms. Cluckie's executive assistant and Jeffrey Cooper. Denis Fourcaudot mentioned that the forwarded email was received from one

of their consultants and asked Marnie Cluckie for guidance on how to handle the situation. Denis Fourcaudot also inquired whether Marnie Cluckie would be attending AMO.

This is lobbying of a member of the City's Senior Leadership Team by an in-house lobbyist to arrange a meeting regarding the purchase of goods by the City. There is no evidence that an exemption applies.

7. Communication sent by Dave Levac, August 15-26, 2024, cc. Jeffrey Cooper

- August 15 2024: Dave Levac responded to Wynne Baker's email, confirming that both proposed dates (August 27 and August 29) worked for him and requesting her to confirm the date and time that best suited her schedule.
- August 22 2024: Wynne Baker confirmed the meeting date and time as August 27 at 2 00 PM. She clarified that the meeting would take place at City Hall and asked if virtual attendance was required.
- August 22 2024: Dave Levac confirmed the finalized meeting date and time (August 27 at 2 00 PM) and expressed hope that Mayor Andrea Horwath would join for a brief introduction. He mentioned that he and his team would attend in person and bring a slide deck and video for the presentation.
- August 23 2024: Wynne Baker informed Dave Levac that she was scheduled for another meeting at 2 00 PM on August 27 and proposed rescheduling the meeting to 10 00 AM on the same day. Dave Levac agreed to the new time.
- August 23 2024: Dave Levac confirmed the rescheduled meeting time of 10 00 AM on August 27 and expressed interest in having Andrea (Mayor Horwath) join for introductions and greetings.
- August 26 2024: Jeffrey Cooper and Dave Levac accepted an invitation for a meeting scheduled on August 27 2024 from 2 00 PM to 2 30 PM UTC. The meeting is to take place at MR - City Hall - 2nd Floor - Mayor's Boardroom. Wynne Baker is the organizer, and Dave Levac and Jeffrey Cooper are listed as attendees. The invitation was sent via Google Calendar.

This is lobbying of a member of the Mayor's staff by a voluntary unpaid or consultant lobbyist to attempt to meet with the Mayor regarding the purchase of goods by the City. There is no evidence that an exemption applies.

8. Meeting with Wynne Baker attended by Denis Fourcaudot, Dave Levac and Jeffrey Cooper, August 27, 2024

- August 27 2024: A meeting with Wynne Baker was attended by Dave Levac, Jeffrey Cooper and Denis Fourcaudot to discuss Microshelters at City Hall, 2nd Floor, Mayor's Boardroom.
- Ms. Baker's meeting notes detail features of the Microshelters product.

This meeting constitutes lobbying of a member of the Mayor's staff by a voluntary unpaid or consultant lobbyist and in-house lobbyists regarding the purchase of goods by the City. There is no evidence that an exemption applies.

9. Communications initiated by Denis Fourcaudot, August 27, 2024

- August 27 2024: Denis Fourcaudot sent an email to Wynne Baker, copying Jeffrey Cooper, regarding the Micro Shelter presentation and budget numbers. The email thanked Wynne Baker for her time and included attachments related to the Micro Shelter program, "MicroShelters Presentation-August-2024 (3).pdf."
- August 27 2024: Denis Fourcaudot sent a follow-up email to Wynne and Jeffrey Cooper at 1:13 PM, providing additional information regarding Microshelter delivery and order details. The email mentioned the possibility of providing a temporary location for positioning Microshelters, a delivery timeline of 6-8 weeks, and no restrictions on the number of units ordered, including quantities of 20, 200, or 500 units.

This is lobbying of a member of the Mayor's staff by an in-house lobbyist regarding the purchase of goods by the City. There is no evidence that an exemption applies.

10. Communications initiated by Denis Fourcaudot, September 5, 2024

- September 5 2024: Denis Fourcaudot forwarded an email to Wynne Baker, copying a housing staff member, asking Wynne Baker to review the attached Micro Shelter presentation and budget numbers. Denis Fourcaudot mentioned that the rental program was prepared for review, focusing on operational budgets instead of capital budgets. Denis Fourcaudot offered to discuss further if needed.
- September 6 2024: Wynne Baker responded to Denis Fourcaudot's email, acknowledging receipt of the Micro Shelter presentation and budget numbers. Wynne Baker mentioned reviewing the materials over the weekend and reaching out if there were any questions.
- September 6 2024: Denis Fourcaudot responded to Wynne Baker's email, expressing appreciation and confirming that he would be in Halifax.

This is lobbying of a member of the Mayor's staff by an in-house lobbyist regarding the purchase of goods by the City. There is no evidence that an exemption applies.

11. Communications initiated by Denis Fourcaudot, October 31, 2024

- October 31, 2024 Mr. Fourcaudot emailed CM Marnie Cluckie with a link to a Hamilton Spectator article regarding the Tiffany-Barton project.
- November 8, 2024 Ms. Cluckie replies, "Thanks."

This is lobbying of a member of the City's Senior Leadership Team by an in-house lobbyist regarding the purchase of goods by the City. There is no evidence that an exemption applies.

12. Communications initiated by Dave Levac, September 11, 2025

- September 11, 2025 Dave Levac email to the Mayor requesting a meeting on behalf of a developer client to discuss the progress of the client's project.
- September 15, 2025 Mayor's Executive Assistant Sarah Lowe replies with a request that Mr. Levac complete a meeting request form. There was no response by Mr. Levac to this email.

This is lobbying of the Mayor by a voluntary unpaid or consultant lobbyist to arrange a meeting regarding a client developer's planning application or related matter in furtherance of the client's financial interest. There is no evidence that a "general information on planning application" or other exemption applies.