

# **CITY OF GREATER SUDBURY INTEGRITY COMMISSIONER, DAVID G. BOGHOSIAN**

**Citation:** Complaint re: Councillor Landry-Altmann (Flour Mill CAN April 8, 2024 Meeting) – DGB-Greater Sudbury ICI-2024-02

**Date:** August 19, 2024

## **ADDENDUM REPORT ON COMPLAINT**

[1] On July 5, 2024, Cllr. Landry-Altmann wrote to me questioning whether the Second Complainants were advancing their Complaint in their personal capacities or as representatives of their respective organizations. This was a fair question, although quite belated given that I had received her Response on June 20th and my Report was almost complete, so I emailed each of the Second Complainants to verify that they were advancing their Complaint in their individual as opposed to their corporate capacities.<sup>1</sup> Over the next several days, I received responses from each of the Second Complainants indicating that they were each advancing their Complaint in their personal capacities, not as representatives of their respective organizations.

[2] In her July 5<sup>th</sup> email, Cllr. Landry-Altmann also questioned whether I was going to disclose any of the materials she had provided in my Report.

[3] On July 11, 2024, I emailed Cllr. Landry-Altmann advising of what I had been advised by the Second Complainants regarding the capacities in which they had made their Complaint and I also responded concerning the use I would put to the information she provided to me. Concerning the latter, I noted that although I am to generally keep information received by me in the course of an Investigation confidential, I am also given authority to disclose any information I deem necessary to disclose in my Report to adequately address the Complaint pursuant to s. 233.5(2.3)(c) of the *Municipal Act, 2001*. I also attached to that email a copy of my completed Report on this Complaint dated July 10, 2024. I advised that the Report would be sent to the City Clerk to be placed on the agenda for the next Council meeting, which was in fact done on July 16, 2024. I heard nothing from Cllr. Landry-Altmann between July 10<sup>th</sup> and 16<sup>th</sup> in response to receiving my Report.

[4] More than a week later, on July 24<sup>th</sup>, Cllr. Landry-Altmann emailed me, although not in relation to my Report. Rather, she asked what materials provided by her had been passed on by me to the Complainants. (Pursuant to s. 21.(7) of the COC, I am given the authority to forward the Response from the Member to the Complainant should I feel it necessary.) Responding the same day, I forwarded the exact email with attachments I had forwarded to the Second Complainants only. I had asked the Second Complainants a few discreet questions that arose out of the Response and attached 2 of the 16 exhibits Cllr. Landry-Altmann had sent me that related to those questions.

[5] By email dated July 25<sup>th</sup>, Cllr. Landry-Altmann accused me of breaching confidentiality as one of the exhibits I had sent the Second Complainants had included constituent communications

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<sup>1</sup> I note that the Second Complaint was signed by each of the Complainants individually and not as representatives of their respective organizations.

to her which she claimed had been sent to her in confidence. I wrote back to her on July 26<sup>th</sup> pointing out that each of the nine email strings claimed to be confidential had been forwarded either by the constituent or the councillor herself to third parties, in many cases to one of the Second Complainants (as the constituent complaints related to various public housing locations).

[6] There was more silence from the Councillor until August 1<sup>st</sup>, when she wrote to me pointing out s. 21.(9) of the COC (which provides that if I intend to recommend a sanction against a councillor, I must provide notice and an opportunity to make submissions on the proposed sanctions) and asking me to send her the email where I requested such submissions from her. I replied that although I had sent her my Report on July 11<sup>th</sup> (3 weeks earlier) with the intention of requesting her comments on my proposed sanctions, I had not in fact made that explicit request. I acknowledged this oversight and invited her to make such submissions at that time, giving her 3 days to do so, noting that she had already provided me with an extensive Response which included 16 multi-document exhibits, totaling 201 numbered pages and countless additional, unnumbered pages. I further pointed out to her that, as far as my consideration of her comments on my recommended sanctions, she was in the same position as if I had strictly complied with s. 21.(9) given that this section contemplates that I have determined there has been a breach of the Code of Conduct and formulated what I felt to be an appropriate penalty prior to advising her of my conclusions, just as had been the case when I forwarded her my Report on July 11<sup>th</sup>. My Report had not yet been forwarded to anyone other than the Clerk and the Councillor (and has still not been up until the date of this Addendum Report).

[7] On August 7<sup>th</sup>, Cllr. Landry-Altmann then wrote to the City Clerk, copying me, stating: "I have no intention of providing IC Boghosian with any further comments. Anything relating to this matter between myself and Mr Boghosian should be pulled and classified as confidential until further determinations are attained. Please confirm receipt of this email and direction." In response, I promptly replied that her direction to the Clerk was improper and that I expected her position with respect to my proposed sanctions by 5 pm on August 8<sup>th</sup> (the original deadline I had given her), failing which I would be confirming my report. She did not respond thereafter.

[8] In summary, since receiving my Report which found her guilty of misconduct and recommended sanctions, Cllr. Landry-Altmann has raised one technicality after another in an attempt to undermine the credibility of my investigation and Report, and, indeed, suppress my Report altogether, on spurious grounds having nothing to do with the merits of the Complaints against her. This is far from consistent with the principle of Accountability that the Code of Conduct is intended to uphold.

[9] Based on the foregoing, I hereby confirm my Report in this matter.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "D. Boghosian", with a long horizontal flourish extending to the right.

David G. Boghosian,

Integrity Commissioner,  
City of Greater Sudbury