



CHRISTINE A. TARLING
Director of Legislated Services & City Clerk
Corporate Services Department
Kitchener City Hall, 2nd Floor
200 King Street West, P.O. Box 1118
Kitchener, ON N2G 4G7
Phone: 519.741.2200 Ext 7809 Fax: 519.741.2705
christine.tarling@kitchener.ca
TTY: 1-866-969-9994

February 19, 2019

Dear 2018 Municipal Candidate/Registered Third Party Advertiser:

Sections 88.25(9), 88.25(10), 88.29(7) and 88.29(8) of the Municipal Elections Act (the Act), 1996, as amended, require that I notify all 2018 municipal candidates and registered third party advertisers of the following with respect to financial statements relating to the 2018 municipal election:

1. The filing requirements under the Act.
2. The candidate's entitlement to receive a refund of the nomination filing fee if s/he meets the requirements of *Section 34* of the Act.
3. The penalties set out in *Sections 88.23(2), 92(1) and 92(3)* for candidates, and *Sections 88.27(1), 92(4) and 92(6)* for registered third party advertisers.

As a 2018 municipal candidate/third party advertiser, **you are solely responsible** to meet all of the requirements and to comply with the Act. To that end, I strongly encourage you to review the Act very carefully. For your convenience, the URL for the Act is: <https://www.ontario.ca/laws/statute/96m32>, which stipulates the filing requirements, deadlines and penalties. Additionally, the Ministry of Municipal Affairs and Housing has information regarding municipal election financial statements along with the requisite forms. You can access that information via the following URL: <http://www.mah.gov.on.ca/Page18735.aspx#statement>.

While some information is provided in this letter, neither I nor any City of Kitchener staff is responsible in any way for any inaccuracies that might appear in this letter. We also cannot provide advice or guidance with respect to the filing of your financial statement as well as any other required forms and associated documents. As a courtesy only, some key dates for you to be aware of include, but are not necessarily limited to:

- **Thursday, March 28, 2019**
 - Deadline for candidates and third party advertisers to make an application to the Superior Court of Justice to extend the time for filing a document – *Section 88.23(6) or 88.27(3)* of the Act as appropriate.
- **Friday, March 29 at 2:00pm**
 - Deadline for candidates and third party advertisers to file a financial statement and auditor's report – *Sections 88.25, 88.29 or 88.30(1)* of the Act as appropriate. This requirement applies regardless of whether you withdrew your nomination or extended your campaign period by filing a Form 6 (Notice of Extension of Campaign Period). For those of you who filed the Form 6 to extend your campaign period to reduce a deficit, additional Financial Statements will be required beyond the one due on March 29, 2019.
 - Deadline for candidates and third party advertisers to provide notice to the Clerk that an application to the Superior Court of Justice for an extension has been made – *Section 88.23(7) or 88.27(4)* of the Act as appropriate.
 - Deadline for a surplus to be payable to the Clerk – *Section 88.31(4)* of the Act.
 - Deadline for a surplus to be refunded – *Section 88.31(6)* of the Act.

- **Sunday, June 30, 2019**
 - End of supplementary reporting period for third party advertisers – *Section 88.30(3), par. 1* of the Act.
 - End of supplementary reporting period for candidates who have extended their campaign period – *Section 88.24(1), par. 4, clause i* of the Act.
 - Last day for extension of campaign period for candidates and third party advertisers with a deficit – *Sections 88.24(1), par. 4* or *88.28(3)* of the Act as appropriate.

- **Thursday, September 26, 2019**
 - Deadline for a candidate to apply to the Superior Court of Justice for an extension of supplementary filing period – *Section 88.23(6)* of the Act.

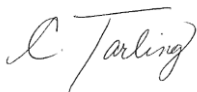
- **Friday, September 27, 2019 at 2:00pm**
 - Deadline for candidates and third party advertisers to file a supplementary financial statement and auditor's report for the supplementary period ending June 30, 2019 – *Sections 88.25(4)* and *88.30(2)* or *88.29(3)* of the Act as appropriate.
 - Deadline to provide notice to the Clerk that an application to the Superior Court of Justice for an extension to the supplementary filing period has been made – *Section 88.23(7)* of the Act.
 - Deadline for a surplus to be refunded – *Section 88.31(6)* of the Act.

Failure by candidates/third party advertisers to meet all of the filing requirements under the Act will result in penalties as outlined in the sections of the Act indicated above. For candidates, these penalties include forfeiting any office to which you were elected and the office being deemed vacant; being declared ineligible to be elected or appointed to any office until after the 2022 municipal election; being subject to a fine; and/or being subject to any other penalty provided for in the Act. For third party advertisers, the penalties include not being entitled to register for a municipal election until after the 2022 municipal election; being subject to a fine; and/or being subject to any other penalty provided for in the Act.

If you have any questions concerning your Financial Statement, you should consult a lawyer or an accountant who is experienced with the Act or contact the Ministry of Municipal Affairs and Housing.

If you have already filed your 2018 municipal election financial statement, you may disregard this letter.

Yours truly,



C. Tarling
 Director of Legislated Services & City Clerk