

# Compliance Audit Committee Report

---

**DATE:** Wednesday, August 9, 2023

**WARD(S):** ALL

**TITLE:** APPLICATION FOR A COMPLIANCE AUDIT (CANDIDATE) –  
MARIO G. RACCO

**FROM:**

Todd Coles, City Clerk / Returning Officer

**ACTION:** DECISION

---

**Purpose**

To provide the Compliance Audit Committee with the application for a compliance audit for their review and consideration in accordance with section 88.33 (7) of the *Municipal Elections Act, 1996* (the Act).

**Report Highlights**

- An application for a compliance audit of the campaign finances of Mario G. Racco, a candidate for the 2022 Municipal Election was received on June 29, 2023 and submitted by Nick Pinto.

**Recommendations**

1. That the Compliance Audit Committee consider the application and grant or reject the request for a compliance audit of the campaign finances of Mario G. Racco in respect of the 2022 Municipal Election in the City of Vaughan.

**Background**

Candidates and registered third party advertisers at a municipal election are required under sections 88.25 and 88.29 of the Act to file a financial statement with the City Clerk, detailing their campaign finances including contributions and expenses.

In accordance with sections 88.33 and 88.35 of the Act, an elector who is entitled to vote in an election and believes on reasonable grounds that a candidate or registered

third party advertiser has contravened a provision of the Act relating to election campaign finances may apply for a compliance audit of the candidate or third party's campaign finances.

The City Clerk, upon receiving an application for a compliance audit, must forward the application to the Compliance Audit Committee within 10 days. Within 30 days of receiving the application from the City Clerk, the Committee must meet to consider whether or not to grant or reject the application.

## **Previous Reports/Authority**

[2022-2026 Joint Compliance Audit Committee](#)

## **Analysis and Options**

Section 88.33 (7) requires the Compliance Audit Committee to consider, within 30 days of receiving an application, whether to grant or reject the application for a compliance audit. As detailed in section 88.33 (8), "the decision of the committee to grant or reject the application, and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. "

If the Committee grants the application, they shall appoint an auditor who shall promptly conduct an audit of the candidate or third party's campaign finances for the 2022 Municipal Election to determine whether they have complied with the provisions of the Act that pertain to election campaign finances. The auditor will prepare a report outlining any apparent contraventions by the candidate or third party and submit the report to the candidate or third party, the City Clerk, and the applicant.

The Compliance Audit Committee will meet within 30 days of receiving the auditor's report and, if it concludes that the candidate or third party has appeared to contravene the sections of the Act pertaining to election campaign finances, they shall determine whether or not to commence a legal proceeding for an apparent contravention.

## **Financial Impact**

All costs associated with the Compliance Audit Committee are funded from the Election Reserve.

## **Operational Impact**

The Office of the City Clerk provides administrative support to the Compliance Audit Committee.

## **Broader Regional Impacts/Considerations**

There are no regional impacts or considerations associated with this report.

## **Conclusion**

The Compliance Audit Committee will hear from the applicant and the candidate or registered third party advertiser and consider whether to grant or reject the application for a compliance audit.

If the Committee grants the application, they shall appoint an auditor who shall promptly conduct an audit of the candidate or third party's campaign finances for the 2022 Municipal Election to determine whether they have complied with the provisions of the Act that pertain to election campaign finances. The auditor will prepare a report outlining any apparent contraventions by the candidate or third party and submit the report to the candidate or third party, the City Clerk, and the applicant.

All decisions of the Compliance Audit Committee will be shared with the parties involved.

**For more information**, please contact: Evan Read, Manager, Elections and Special Projects, ext. 8241

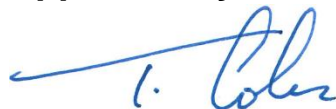
## **Attachments**

1. Application for a Compliance Audit (Candidate) – Mario G. Racco, Nick Pinto, June 29, 2023

## **Prepared by**

Evan Read, Manager, Elections and Special Projects, ext. 8241

## **Approved by**



]Todd Coles, City Clerk / Returning Officer