



**Report**  
**Staff Report**  
The Corporation of the City of Brampton  
9/3/2025

**Date:** 2025-06-18

**Subject:** **Status of Collection Activities on Provincial Offences Act Defaulted Fines and Write-Off of Uncollectible POA - 2024**

**Contact:** Kasia Bielska, Manager, Corporate Collections, Finance

**Report number:** Corporate Support Services-2025-446

**RECOMMENDATIONS:**

1. That the report from Kasia Bielska, Manager, Corporate Collections, Finance to the Committee of Council Meeting of September 03, 2025, re: **Status of Collection Activities on Provincial Offences Act Defaulted Fines and Write-Off of Uncollectible POA - 2024**, be received; and
2. That the administrative write-off of \$483,940.00 as shown in table C of the report be approved.

**OVERVIEW:**

- **The Provincial Offences Act Fine Collection and Write-Off Policy (# FIN-190) includes a requirement to report annually to Council outlining the status of the overdue Provincial Offences Act Fines.**
- **This report provides information regarding collection activities performed in 2024 on defaulted Provincial Offences Act (POA) fines and on POA fines deemed uncollectable and that have been authorized by staff for write-off.**
- **This report seeks approval from the Committee to write-off the \$483,940.00 in various POA fines that have been deemed uncollectable under the Bankruptcy and Insolvency Act.**
- **In accordance with By-law 88-2024, staff was authorized to write-off \$311,391.64 in fines for deceased offenders as shown in table D in the report.**

## **BACKGROUND:**

The Provincial Offences Act Fine Collection and Write-Off Policy # FIN-190 ('The Policy') includes a requirement to report to the Council outlining the status of outlining the status of the overdue Provincial Offences Act (POA) Fines.

The Policy provides the framework for the administration and collection of POA fines and outlines the criteria for determining when such fines shall be deemed uncollectible. In the Policy, an administrative write-off is defined as the removal of an uncollectible defaulted fine from ICON and the cessation of collection activity. ICON (Integrated Court Offences Network) is the provincial case management system used to record and track all Provincial Offences Act charges, court proceedings, and related fine enforcement. While a write-off ends enforcement action, it does not absolve the debtor of the obligation to pay.

Prior to June 28, 1999, the responsibility for managing Provincial Offences Courts, prosecuting offences, and collecting related fines rested with the Province of Ontario. On that date, the City of Brampton assumed these responsibilities as part of a broader transfer of authority from the Province to the municipalities.

## **CURRENT SITUATION:**

The Standard Operating Procedure ("SOP") and Provincial Offences Act Fines Collection and Write-Off Policy set the guidelines to be followed by staff for the collection of defaulted POA fines, as well as establishing when such fines should be removed from ICON after all collection efforts have been exhausted. As part of an ongoing review of long-outstanding items, staff have identified the amounts outlined in this report as appearing to be uncollectible. The following is a summary of the collection activities conducted by City staff in accordance with the Policy:

- Mailing of overdue notices and final notices when a complete and valid address is available.
- Telephone calls to the debtors where a telephone number is available.
- Search activities utilizing various software to locate a debtor's new address, identify ownership of properties, employers and bank accounts.
- Addition of the fine to the tax roll when property ownership within the City of Brampton is identified, and all the owners of the property are responsible to pay the fine (Section 441.1 Municipal Act 2001)
- Civil litigation, including filing of a certificate of default in Small Claims Court or Superior Court to obtain judgment against the debtor, filing of writs of seizure and sale of land when ownership of property is identified, garnishment of wages when a current employer is located, and garnishment of bank account when an active bank account is identified.
- Listing of the account with an external collection agency for further collection activities. Collection agencies can report unpaid POA fines to the Credit Bureau,

which can negatively impact the debtor's credit score and provide an incentive to pay

Driver's license suspensions are applied to POA fines where this sanction is permitted by legislation (Highway Traffic Act, Insurance Act). When the driver's license is suspended the Ministry of Transportation will not renew the motorist driver license unless the fine is paid.

Effective May 1st, 2017, the Province license plate denial regime was expanded to include defaulted POA fines. Driving related POA fines under Section 46 of the Highway Traffic Act, previously only subject to license suspension, are now also subject to plate denial.

The policy requires that, when all the appropriate collection steps have been exhausted, accounts are deemed uncollectable and written off. The write-off of the accounts must be authorized by either staff or Council. The outstanding amount of the account determines the level of authority required for the write-off.

Accounts where all collection efforts have been exhausted, with an enforcement date of at least six years with no civil enforcement, can be deemed uncollectable and authorized for write-off by the Manager of Corporate Collections up to \$2,500; by the Treasury for balance up to \$25,000; and by Council for balances over \$25,000.

Provincial Offences fines are written off for administration purposes only. The write-off does not absolve a convicted offender from the requirement to pay a fine, as debts to the Crown continue in perpetuity.

During 2024, the Corporate Collections Section performed collection activities in accordance with the policy and a total of \$7,679,489.67 in defaulted fines was collected. Table A provides a summary of the City's POA defaulted fines activity for 2023 and 2024. It outlines the total value of new defaulted fines issued, as well as the amounts collected by both City staff and third-party collection agencies.

<b>TABLE A – BALANCE OF POA DEFAULTED FINES*</b>		
	<b>2023</b>	<b>2024</b>
New defaulted fines	\$5,214,234.30	\$6,306,407.73
Defaulted Fines collected by staff	\$4,524,097.03	\$3,297,505.95
Defaulted Fines collected by Collection	\$2,902,067.63	\$4,381,983.72
Total defaulted fines collected	\$7,426,164.66	\$7,679,489.67

\* Amount (\$) includes Victim fines surcharge, costs, internal collection fees and collection agency fees

Fines summarized in Table B have been in default since 2017 or earlier. All collections efforts, as outlined in the City of Brampton's collection policy and the Ministry of Attorney General's directives, have been exhausted. Driver's license suspensions or Ministry of Transportation plate denial have been applied to all fines where such action is permitted by legislation.

Collection on these fines was not achievable due to missing or incomplete offender information including the absence of a valid address, date of birth, or driver's license number. Finance staff have determined that the fines summarized in Table B total \$483,940.00. In accordance with the terms of the Policy, collection activity has ceased. As the total exceeds \$25,000, the write-off has been approved by staff and now requires Council approval.

<b>TABLE B - Unable to collect — Business dissolved</b>					
<b>Name</b>	<b>Year of Fine</b>	<b>No. of fines</b>	<b>Total Amount</b>	<b>Reason</b>	<b>Write-Off Approved by:</b>
Wynn Properties Inc	2015	19	\$127,630.00	Company dissolved 2019	Council (over \$25,000.00)
1428508 Ontario Limited C/O as Forma-Con Construction	2015	1	\$356,310.00	Company dissolved 2024	Council (over \$25,000.00)
<b>Total</b>		<b>20</b>	<b>\$483,940.00</b>		

Fines summarized in Table C, totaling \$311,391.64 have been written off by staff in 2024 because the debtor is deceased, a death certificate has been received, and the fines were deemed uncollectable.

<b>TABLE C Offender Deceased —Approved by staff for write-off</b>				
<b>Year</b>	<b>Number of fines</b>	<b>Total Amount</b>	<b>Reason</b>	<b>Write-Off Approved by:</b>
2024	941	\$311,391.64	Offender deceased	Manager, Corporate Collections (for any amount, as per June 12, 2024 Council approval of By-law 88-2024)

## **CORPORATE IMPLICATIONS:**

### **Financial Implications:**

The total value of fines deemed uncollectible and recommended for removal from ICON is **\$795,331.64**. In accordance with By-law 88-2024, staff were able to write-off \$311,391.64 for deceased offenders. Council approval is required for \$483,940.00, as these fines each exceed \$25,000.

**STRATEGIC FOCUS AREA:**

This report supports the strategic focus area of government and leadership, focusing on service excellence with equity, innovation, efficiency, effectiveness, accountability, and transparency.

**CONCLUSION:**

The City of Brampton is utilizing all available methods to collect defaulted POA fines in accordance with governing legislation. Staff continue to work with professional organizations and other municipalities across the Province to advocate for legislative changes necessary to improve the current enforcement methods.

Authored by:

Reviewed by:

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