



CITY OF HAMILTON

**DECISION of the
ELECTION COMPLIANCE AUDIT COMMITTEE**
established under Section 88.37(1) of the *Municipal Elections Act, 1996* (the “Act”)
**A CLERK’S REPORT RESPECTING A CONTRIBUTOR WHO APPEARS
TO HAVE EXCEEDED ANY OF THE CONTRIBUTION LIMITS UNDER
SECTION 88.9 OF THE ACT**
SERGIO MANCHIA

With respect to the meeting of the Election Compliance Audit Committee (the “Committee”) held on November 23, 2023, Sergio Manchia (the “Contributor”) to the 2022 Election Campaign (the “Campaign”) of Andrea Horwath (the “Candidate”):

As a result of the Clerk’s review of contributions reported on the financial statements submitted by candidates following the supplementary filing date, the Clerk has identified an increase in the total amount of contributions made by the Contributor as initially reported in Report FCS23072 and which has already been the subject of a decision by the Committee to commence legal proceedings. The additional contribution made by the Contributor during the Supplementary Reporting Period is \$450 for a total contribution of funds of \$5750.

The Committee received a written submission from the Contributor. The written submission indicated that it wished to address the statement in Report FCS23072(a) submitted by the Clerk alleging that the he had made an additional contribution of \$450 during the Supplementary Reporting Period thereby increasing his overall alleged contributions towards candidates for the 2022 election from \$5,300 to \$5,750. The written submission also indicated that the \$450 payment was made in response to an invitation to a welcome dinner for the Candidate and that he was not informed of the campaign period extension by the Candidate. The Contributor advised it would not be fair or reasonable to include the \$450 payment in the consideration of his total 2022 campaign contributions because he was unaware of that the Candidate filed a Notice of Extension of Campaign Period – Form 6 to extend her campaign period.


The Candidate was not present.

The Committee finds that there are reasonable grounds to believe that the Contributor has exceeded the contribution limits under Section 88.9 of the Act. Based on the fact that the charges before the court did not include the contributions beyond October 2022, the Committee recommends commencing additional legal proceedings.

Dated at the City of Hamilton November 24, 2023.

Written and approved by the following Committee Members:


Cal DiFalco, Chair


Linda Lister, Vice-Chair


Jonathan van der Heiden

VIVIAN E. SAUNDERS
Vivian Saunders


Zachary Spicer