

To: Integrity Commissioner, City of Toronto  
c/o City Clerk's Office

From: Behrouz Khamseh

Date: 1 June, 2015

I wish to file an official complaint over the unethical and extremely inappropriate behaviour of Mayor John Tory with regard to his public support for the Uber group of companies, especially during the very period that City of Toronto staff are in court requesting an injunction to stop Uber from conducting business illegally in Toronto.

I believe that Mayor John Tory is in violation of sections 8, 9, and 10 of Toronto's Code of Conduct for City Councillors.

- 1) Despite the fact that City Staff had requested an injunction against the Uber group of companies, virtually his first act as incoming Mayor was to state that "Uber is here to stay," which was reported by media immediately and has been referenced hundreds of times in other reports.

<http://www.cbc.ca/news/canada/toronto/uber-is-here-to-stay-toronto-mayor-elect-john-tory-says-1.2840295>

<http://www.torontosun.com/2015/04/03/tos-cab-industry-got-a-wake-up-call-from-uber-tory>

- 2) In his April speech to the Toronto Regional Board of Trade, Tory stated:

"Innovative companies and disruptive technologies like Uber need to work with us to establish regulations that allow them to grow while we do the responsible thing to ensure public safety."

<http://metronews.ca/news/toronto/1358868/uber-and-torontos-taxi-companies-need-to-co-exist-says-john-tory/>

In his rush to promote Uber, Tory fails to note that Toronto ALREADY has existing regulations to ensure public safety. These regulations are followed by every licensed taxi cab in Toronto, including those which already use smartphone applications for electronic fare hails.

- 3) John Tory's campaign manager works for Uber. Ann Hui of the Globe and Mail reported on May 7th that both Nick Kouvalis, John Tory's campaign manager in the 2014 municipal election and John Duffy, a volunteer on that campaign, have been retained to work for the Uber group of companies.

<http://www.theglobeandmail.com/news/toronto/uber-hired-two-former-john-tory-campaigners-to-fight-toronto-battle/article24301083/>

Tory not only failed to disclose this; at Toronto Council on May 5<sup>th</sup> he stated several times, "I have no pony in this (Uber) race." Clearly this is not true. Tory's conflict should have been disclosed to Council members.

On Tuesday, May 5<sup>th</sup>, the issue of grandfathering the standard taxicab license was addressed by Toronto City Council. Much to the dismay of almost 600 taxi industry members assembled in the council chambers and in the overflow rooms, John Tory stood to move a motion to defer the issue until after the City's court case against Uber will be heard on May 19, 20 and 21<sup>st</sup> (and has since been deferred to June 1, 2, and 3<sup>rd</sup>). There is absolutely no connection between the decision to grandfather the standard plate, and the Uber court case. However, Tory was successful in his effort to have the motion deferred, in part because he stated several times, "I have no pony in this race."

According to the May 7<sup>th</sup> Globe and Mail report, Tory definitely does have a "pony" in this race: his former campaign manager Nick Kouvalis, who is now working for Uber.

- 4) John Tory formerly sat on the Board of Directors of Rogers Communications, and may look forward to doing so again in the future. Tory still plays a role in Rogers family trusts and private boards.

<http://www.citynews.ca/2014/11/28/john-tory-resigns-from-rogers-board-declares-other-interests/>

Rogers is now running regular promotions and give-aways with Uber. Once again, Tory has failed to disclose this conflict as he speaks publicly in support of Uber.

<http://www.rogers.com/consumer/wireless/promotions>

<http://forums.redflagdeals.com/rogers-25-uber-credit-includes-existing-users-1680781/>

- 5) It is unethical and inappropriate for the Mayor of the City of Toronto to be picking "winners and losers" in the business community. Uber has an app. Beck Taxi has had an app since 2012. Co-op Cabs has an app. Uber is not doing anything new, except ignoring all of Toronto's regulations and by-laws for the taxi industry. On a level playing field, in which all players obey the rules and pay their licensing fees, Uber will compete successfully or it will not.

The Mayor of Toronto, whose campaign manager works for Uber;

- whose corporate partners promote with Uber;
- whose bureaucratic staff have taken the extraordinary action of going to court to ask for an injunction to prevent Uber from doing business illegally in Toronto;

Is behaving unethically when he insists upon promoting one private sector business over another in Toronto's marketplace, **during the very period this case is before the court**, and should be censured.

Signed respectfully,

