

**NOTICE OF MOTION (Amended)****City Request Standing at Hearing over Conduct of Former Chief Financial Officer and Treasurer – Wanda Liczyk****Moved by: Councillor Michael Walker** \_\_\_\_\_**Seconded by: Councillor Doug Holyday** \_\_\_\_\_**SUMMARY:**

Madame Justice Bellamy found in her Toronto Computer leasing Inquiry Report that Ms. Wanda Liczyk "...failed to make a principled financial decision...knew that much more than \$43 million was actually on lease... knew that Staff had exceeded Council authority. She was the CFO and Treasurer. It was up to her to report clearly to Council. She did not."

Mayor Miller stated on the release of Madame Justice Bellamy's Report "...It's clear, it's damning, it's precise.... The story told in this Report amounts to a conspiracy to defraud the City.... This is an outrageous abuse of the public trust... I also feel very strongly that there needs to be consequences for misconduct and betraying the public trust".

In September 2005 Toronto City Council adopted a motion to "file a complaint to the Institute of Chartered Accountants of Ontario with respect to Wanda Liczyk's conduct as Chief Financial Officer and Treasurer of the City of Toronto as evidenced in Madame Justice Bellamy's report".

On July 18, 2006 the Professional Conduct Committee of the Institute of Chartered Accountants of Ontario concluded that the complaints against Wanda Liczyk by Toronto City Council and others did not justify the laying and prosecuting of charges before the Institute's Discipline Committee.

Toronto City Council at its July 24-26, 2006 meeting instructed the City Solicitor to strongly request a review of the decision by the Professional Conduct Committee.

Mr. Richard Steinecke was appointed as the Independent Reviewer of Complaints who concluded that the matter be referred back to the Professional Conduct Committee for reconsideration on its merits.

The Professional Conduct Committee then on November 14, 2006 made three charges against Ms. Wanda Liczyk, C.A. a member of the Institute of Chartered Accountants of Ontario.

None of these three charges make any reference to Ms. Liczyk's conduct with respect to the computer leasing contracts with MFP Financial Services Ltd., the main reason for the public inquiry conducted by Madame Justice Bellamy for the City of Toronto.

The hearing arising out of these charges of professional misconduct began on January 25, 2007 at the Institute of Charter Accountant's Head Office at 69 Bloor Street East. The hearing was adjourned to February 28, 2007 as Ms. Liczyk has just retained a new Lawyer.

**RECOMMENDATION:**

- 1. City Council direct the City Solicitor and other City Staff she deems necessary to seek standing in the disciplinary proceedings of the Institute of Chartered Accountants of Ontario respecting former Treasurer and C.F.O. of Toronto, Wanda Liczyk, and present the City's concerns over the conduct of the former Treasurer and C.F.O. most particularly in connection with the MFP leases; and in the event this is not possible that:**
- 2. City Council direct the City Solicitor to write to the Institute of Chartered Accountants of Ontario regarding the scope of the charges made by the Professional Conduct Committee expressing City Council's strong concerns and disappointment that the charges do not address the computer leasing contracts entered into with MFP Financial Services Ltd. as set out in Commissioner Bellamy's report.**

Meeting Date: February 5, 2007