

**From:** [REDACTED]  
**To:** [Bush, Anastasia](#)  
**Cc:** [Corman, Sarah](#); [Raycroft, Jeannie](#)  
**Subject:** [EXTERNAL] Re: Notice of Meeting and Agenda - Municipal Election Compliance Audit Committee  
**Date:** Tuesday, July 25, 2023 11:03:24 PM  
**Attachments:** [image001.png](#)  
[Response to Compliance Audit Request for AnnaMaria Valastro \(2\).docx](#)

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Please find attached a response letter to the complaint from John Fyfe-Millar re: AnnaMaria Valastro Third Party Advertiser.

In a separate email I will forward the original correspondence from the Elections Office as noted in my response letter.

Thank You

AnnaMaria Valastro

On 2023-07-20 17:14, Bush, Anastasia wrote:

Good afternoon, Ms. Valastro.

Please see the attached Notice of Meeting from the City Clerk's Office for your attention and action. A hardcopy of this communication was sent to you today by registered mail.

Thank you kindly,  
Anastasia



**Anastasia Bush** (she/her)  
Administrative Assistant II  
City Clerk's Office  
Legal Services  
City of London

PO Box 5035, London ON N6A 4L9  
P: 519.661.CITY (2489) x 5422 | Fax: 519.661.4892  
[abush@london.ca](mailto:abush@london.ca) | [www.london.ca](http://www.london.ca)

The City of London is situated on the traditional lands of the Anishinaabek, Haudenosaunee, Lūnaapéewak and Attawandaron. We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Métis and Inuit today. As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

## **Response to Compliance Audit Request for AnnaMaria Valastro, Registered Third Party Advertiser.**

### **Municipal Elections Act, Sections:**

#### Section 88, 26: Duties of third party advertisers;

I did not solicit any contributions therefore I did not open a special elections account. The \$50 I spent on flyers and gas was my own money, and it did not make sense to open a special elections account simply to withdrawal my own funds and deposit them into a new account, to then withdrawal the funds again to pay for flyers.

I don't really understand how someone knows whether I opened a special account or not. I feel that this complaint is predatory, and would appreciate the Committee asking, on my behalf, how the complaint knows I did not open an elections account. I have good reason to be concerned, as you will see moving forward, that being an outspoken advocate, I am susceptible to harassing comments from strangers that could lead to harassing actions. So, I am concerned.

#### Section 88, 27: Effect of default by registered third party

I don't believe this section applies. I visited London's Election Office requesting the appropriate form for third party advertisers to file their final report and was given a candidate's form. I pointed this out to the clerk at the Elections Office and they assured me this was the correct form. I also received the attached email from the Elections Office. If I made a filing error, it was because the information I received was confusing. I did not research the forms myself, and relied on the Election's Office for guidance. The Municipal Elections Act is difficult to follow if you are not accustom to reading legal documents. I did not act, in anyway, in bad faith, just not so good in navigating a new system.

## **Financial Filing Information**

From [Elections](#) on 2023-02-21 09:33

[Details](#) [Plain text](#)

- Notice of Penalties - Third Party Advertisers - 2022.docx(~68 KB)

- Form 4 - Financial Statement.pdf(~1.7 MB)

Good Morning,

As a reminder, the filing date for Financial Statements is **March 31, 2023, at 2:00 PM**, in accordance with the *Municipal Elections Act, 1996*. All registered Third Party Advertisers are required to file in-person. The Elections Office is located on the second floor of City Hall and the hours of operation are Monday through Friday, 8:30 AM – 4:30 PM.

**Please note this notice is sent to all registered third party advertisers who filed a nomination in the 2022 City of London Municipal Election regardless of if they have filed a Financial Statement – Auditor’s Report – Form 4.**

Please contact the Elections Office by phone at 519-661-4535 or by email to [elections@london.ca](mailto:elections@london.ca) if you have any questions.

Kind Regards,

**Elections Office**  
Municipal Election Clerk  
City of London

London ON N6A 4L9  
P: 519.661.4535  
[elections@london.ca](mailto:elections@london.ca) | [www.london.ca/election](http://www.london.ca/election)

Section 88, 28: Campaign period for registered third parties

I registered in May 2022 as a third party advertiser to protect myself during the election cycle because I am an outspoken advocate and knew that I would raise issues that were important to me during the election. At times, I use flyers to reach out to my community and flyers cost money and hence the need to register as a third party. I believe I did comply with the campaign period. I filed on time, did not accept any contributions and did not spend any further money on the election after voting day. I don't understand this complaint as the complainant did not provide details so I may respond in detail.

Section 88, 29 Financial statements, etc., of registered third parties

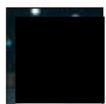
In the form I submitted to the city election office – Form 4 – I confirmed a donation of \$600 to mayoral candidate Dan Lanert. I did not fill out any other

forms, so I am not certain which 'form' the complainant is referencing. I called the election office asking whether I needed to include donations I made using my own money and unrelated to third party advertising and I received no guidance from staff. I suppose this is protocol. To be safe, I included my donations to candidates, but I question whether this is an appropriate complaint against a third party advertiser.

#### 88.5 Mandatory information in third party advertisements.

The information on the flyer I produced includes the registered contact information 'Abetterlondon@execulink.com' but not my personal name. I did not originally add the City because it seemed obvious that it spoke to the London Municipal Election. Adding the city seemed redundant. However, after a complaint was filed about the flyer, soon after I began distributing it, I did add 'London, Ontario'.

I did not however add my personal name because I was concerned about harassment. Below is a sample of 'tweets' I found on Twitter about myself in response to news stories in which I was mentioned. During the election, as my name was easily available with the registered contact email on the flyer, I did receive attacking 'tweets'. Even though I am toughed skinned, there is something about social media attacks that I find very unsettling. They are sent by total strangers and I feel this makes them more threatening and vicious. As social media can have a far reaching audience, it makes it difficult to track all the comments in which you are mentioned. For example, I was unaware that I was being mentioned in the news stories below which triggered this exchange of angry tweets.



Why the [REDACTED] does ANYONE take head to ANYTHING AnnaMaria Valastro has to say? Serial complainer, naysayer, and nobody.  
7:11 PM · May 9, 2022

[REDACTED]

[REDACTED]

@ [REDACTED]

|

May 9, 2022

Replying to

@ [REDACTED]

"This is exactly what (the public) rejected, a wall around the park," **AnnaMaria Valastro** tells politicians about public meetings held to discuss the Vic Park secondary plan. Only one councillor showed up to those meetings, she says. In turn, public voice "silenced" on this plan.

[REDACTED]

@ [REDACTED]

|

May 9, 2022

Replying to

@NeedlesOnNews

The fact that anyone is listening to any [REDACTED] words that come out of **AnnaMaria Valastro's** mouth is [REDACTED] astonishing.

As the email contact information led to my name, anyone could have easily learned who was 'Abetterlondon' if it was so important to them, but being once removed made me feel safer and that's why I did not add my personal name.

The rules governing third party advertisers in the Municipal Elections Act don't apply to 'mom and pop' activists that want to raise kitchen sink issues. They are written for larger and richer entities that immerse themselves in multiple municipal elections and can use their corporate names. These larger entities do not use their personal names on their advertising. It is too dangerous. In this spirit, I created

'Abetterlondon' and that was the name I placed on the flyer. It served both as a contact and sponsor/advertiser.

Sincerely

AnnaMaria Valastro

**From:** [REDACTED]  
**To:** [Bush, Anastasia](#); [Corman, Sarah](#); [Raycroft, Jeannie](#)  
**Subject:** [EXTERNAL] Fwd: Financial Filing Information  
**Date:** Tuesday, July 25, 2023 11:11:58 PM  
**Attachments:** [image001.png](#)  
[Notice of Penalties - Third Party Advertisers - 2022.docx](#)  
[Form 4 - Financial Statement.pdf](#)  
**Importance:** High

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This email was 'cut and paste' into my response letter re: a complaint by John Fyfe-Millar against AnnaMaria Valastro, Third Party Advertiser

Thank You

AnnaMaria Valastro

----- Original Message -----

**Subject:** Financial Filing Information  
**Date:** 2023-02-21 09:33  
**From:** Elections <Elections@london.ca>  
**To:** Elections <Elections@london.ca>  
**Cc:** Elections <Elections@london.ca>

Good Morning,

As a reminder, the filing date for Financial Statements is **March 31, 2023, at 2:00 PM**, in accordance with the *Municipal Elections Act, 1996*. All registered Third Party Advertisers are required to file in-person. The Elections Office is located on the second floor of City Hall and the hours of operation are Monday through Friday, 8:30 AM – 4:30 PM.

**Please note this notice is sent to all registered third party advertisers who filed a nomination in the 2022 City of London Municipal Election regardless of if they have filed a Financial Statement – Auditor’s Report – Form 4.**

Please contact the Elections Office by phone at 519-661-4535 or by email to [elections@london.ca](mailto:elections@london.ca) if you have any questions.

Kind Regards,



**Elections Office**  
Municipal Election Clerk  
City of London

London ON N6A 4L9  
P: 519.661.4535  
[elections@london.ca](mailto:elections@london.ca) | [www.london.ca/election](http://www.london.ca/election)



London  
CANADA

300 Dufferin Avenue  
P.O. Box 5035  
London, ON  
N6A 4L9



February 21, 2023

Attention: To All Registered Third Parties for the City of London

## **NOTICE OF FILING REQUIREMENTS AND PENALTIES**

*Subsection 88.29 (7) Municipal Elections Act, 1996*

At least 30 days before the filing date, the clerk shall give notice of the filing requirements under subsection 88.29 and the penalties set out in subsections 88.27 (1) and 92 (4) to every registered third party that registered in the municipality.

### **Section 88.27**

#### **Effect of default by registered third party**

**88.27** (1) Subject to subsection (6) and in addition to any other penalty that may be imposed under this Act, an individual, corporation or trade union that is registered as a registered third party in relation to an election in a municipality is not entitled to register in relation to a subsequent election in the municipality until after the next regular election has taken place,

- (a) if the registered third party fails to file a document as required under section 88.29 or 88.32 by the relevant date;
- (b) if a document filed under section 88.29 shows on its face a surplus, as described in section 88.31, and the registered third party fails to pay the amount required by subsection 88.31 (4) to the clerk by the relevant date;
- (c) if a document filed under section 88.29 shows on its face that the registered third party has incurred expenses exceeding what is permitted under section 88.21; or
- (d) if a document filed under section 88.32 shows on its face a surplus and the registered third party fails to pay the amount required by that section by the relevant date. 2016, c. 15, s. 61.

#### **Notice of default**

(2) In the case of a default described in subsection (1), the clerk shall notify the registered third party in writing that the default has occurred and shall make available to the public the name of the registered third party and a description of the nature of the default. 2016, c. 15, s. 61.



## **Application to court**

(3) The registered third party may, before the last day for filing a document under section 88.29 or 88.32, apply to the Superior Court of Justice to extend the time for filing the document under that section and, if the court is satisfied there are mitigating circumstances justifying a later date for filing the document, the court may grant an extension for the minimum period of time necessary to enable the registered third party to file the document but the court shall not grant an extension of more than 90 days. 2016, c. 15, s. 61.

## **Notice to clerk**

(4) If a registered third party makes an application under subsection (3), the registered third party shall notify the clerk in writing before 2 p.m. on the last day for filing a document under section 88.29 or 88.32 that the application has been made. 2016, c. 15, s. 61.

## **Effect of extension**

(5) If the court grants an extension under subsection (3), the penalty set out in subsection (1) applies only if the registered third party has not filed the document before the end of the extension. 2016, c. 15, s. 61.

## **Cessation of penalty**

(6) The penalty set out in subsection (1) for a default described in clause (1) (a) does not take effect if, no later than 2 p.m. on the day that is 30 days after the applicable day for filing the document, the registered third party files the relevant document as required under section 88.29 or 88.32 and pays the clerk a late filing fee of \$500. 2016, c. 15, s. 61.

## **Late filing fee**

(7) The late filing fee is the property of the municipality. 2016, c. 15, s. 61.

## **Section 92**

### **Offences by registered third party**

(4) A registered third party is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalty described in subsection 88.27 (1),

(a) if the registered third party incurs expenses that exceed the amount determined under section 88.21; or

(b) if the registered third party files a document under section 88.29 or 88.32 that is incorrect or otherwise does not comply with that section. 2016, c. 15, s. 68 (2).

### **Exception, action in good faith**

(5) However, if the presiding judge finds that the registered third party, acting in good faith, committed the offence inadvertently or because of an error in judgment, the penalty described in subsection 88.27 (1) does not apply. 2016, c. 15, s. 68 (2).

### **Additional penalty, registered third parties**

(6) If the expenses incurred by or under the direction of a registered third party exceed the amount determined under section 88.21, the registered third party is liable to a fine equal to the excess, in addition to any other penalty provided for in the Act. 2016, c. 15, s. 68 (2).

**Instructions**

All candidates must complete Boxes A and B. Candidates who receive contributions or incur expenses must complete Boxes C, D, Schedule 1 and Schedule 2 as appropriate. Candidates who receive contributions or incur expenses in excess of \$10,000 must also attach an Auditor's Report.

All surplus funds (after any refund to the candidate or their spouse) shall be immediately paid to the clerk who is responsible for the conduct of the election.

For the campaign period from (day clerk received nomination) 

YYYY	MM	DD
------	----	----

 to 

YYYY	MM	DD
------	----	----

- Initial filing reflecting finances from start of campaign to December 31 (or 45 days after voting day in a by-election)
- Supplementary filing reflecting finances from start of campaign to end of extended campaign period

**Box A: Name of Candidate and Office**

Candidate's name as shown on the ballot	
Last Name or Single Name	Given Name(s)
Office for Which the Candidate Sought Election	Ward Name or Number (if any)
Municipality	

Spending Limit	Parties and Other Expressions of Appreciation	Contribution Limit
General		Contributions from Candidate and Spouse
\$	\$	\$

I did not accept any contributions or incur any expenses. (Complete Boxes A and B only)

**Box B: Declaration**

I, \_\_\_\_\_, declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.

\_\_\_\_\_  
Signature of Candidate \_\_\_\_\_  
Date (yyyy/mm/dd)

Date Filed (yyyy/mm/dd)	Time Filed	Initial of Candidate or Agent (if filed in person)	Signature of Clerk or Designate



2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
<b>Total Expenses subject to spending limit for parties and other expressions of appreciation</b>		= \$	<b>C3</b>

**3. Expenses not subject to spending limits**

Accounting and audit		+ \$	_____
Cost of fundraising events/activities (list details in Part IV of Schedule 2)		+ \$	_____
Office expenses incurred after voting day		+ \$	_____
Phone and/or internet expenses incurred after voting day		+ \$	_____
Salaries, benefits, honoraria, professional fees incurred after voting day		+ \$	_____
Bank charges incurred after voting day		+ \$	_____
Interest charged on loan after voting day		+ \$	_____
Expenses related to recount		+ \$	_____
Expenses related to controverted election		+ \$	_____
Expenses related to compliance audit		+ \$	_____
Expenses related to candidate's disability (provide full details)			
1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
Other (provide full details)			
1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
<b>Total Expenses not subject to spending limits</b>		= \$	<b>C4</b>

**Total Campaign Expenses (C2 + C3 + C4)** = \$ \_\_\_\_\_ **C5**

**Box D: Calculation of Surplus or Deficit**

Excess (deficiency) of income over expenses (Income minus Total Expenses) (C1 – C5)		+ \$	_____	<b>D1</b>
If there is a surplus, deduct any refund of candidate's or spouse's contributions to the campaign		- \$	_____	
Surplus (or deficit) for the campaign		= \$	_____	<b>D2</b>

If line D2 shows a surplus, the amount must be paid in trust, at the time the financial statements are filed, to the municipal clerk who is responsible for the conduct of the election.

**Schedule 1 – Contributions**

**Part I – Summary of Contributions**

Contributions in money from candidate and spouse	+ \$	
Contributions in goods and services from candidate and spouse (include value listed in Table 1 and Table 2)	+ \$	
Total value of contributions not exceeding \$100 per contributor • Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor is \$100 or less (do not include contributions from candidate or spouse).	+ \$	
Total value of contributions exceeding \$100 per contributor (from line 1B; list details in Table 3 and Table 4) • Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor exceeds \$100 (do not include contributions from candidate or spouse).	+ \$	
<b>Less:</b> Ineligible contributions paid or payable to the contributor Contributions paid or payable to the clerk, including contributions from anonymous sources exceeding \$25	– \$	
	– \$	
<b>Total Amount of Contributions (record under Income in Box C)</b>	<b>= \$</b>	<b>1A</b>

**Part II – Contributions from candidate or spouse**

**Table 1: Contributions in goods or services**

Description of Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)
<b>Total</b>		

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign  
(Note: Value must be recorded as a contribution from the candidate and as an expense.)**

Description	Date Acquired (yyyy/mm/dd)	Supplier	Quantity	Current Market Value (\$)
<b>Total</b>				

Additional information is listed on separate supplementary attachment, if completed manually.

**Part III – Contributions exceeding \$100 per contributor – individuals other than candidate or spouse**

**Table 3: Monetary contributions from individuals other than candidate or spouse**

Name	Full Address	Date Received (yyyy/mm/dd)	Amount Received (\$)	Amount Returned to Contributor or Paid to Clerk (\$)
<b>Total</b>				

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 4: Contributions in goods or services from individuals other than candidate or spouse  
(Note: Must also be recorded as Expenses in Box C.)**

Name	Full Address	Description of Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)
<b>Total</b>				

Additional information is listed on separate supplementary attachment, if completed manually.

**Total for Part III – Contributions exceeding \$100 per contributor  
(Add totals from Table 3 and Table 4 and record the total in Part 1 – Summary of Contributions)**      \$ \_\_\_\_\_ **1B**

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**Schedule 2 – Fundraising Events and Activities**

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**Complete a separate schedule for each event or activity held.** Additional schedule(s) attached, if completed manually.

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**Fundraising Event/Activity 1**

Description of fundraising event/activity \_\_\_\_\_

Date of event/activity (yyyy/mm/dd) \_\_\_\_\_

**Part I – Ticket revenue**Admission charge (per person) \$ \_\_\_\_\_ **2A**

(If there are a range of ticket prices, attach complete breakdown of all ticket sales)

Number of tickets sold x \_\_\_\_\_ **2B****Total Part I (2A X 2B) (include in Part I of Schedule 1)** = \$ \_\_\_\_\_**Part II – Other revenue deemed a contribution**

Provide details (e.g., revenue from goods sold in excess of fair market value)

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

**Total Part II (include in Part I of Schedule 1)** = \$ \_\_\_\_\_**Part III – Other revenue not deemed a contribution**

Provide details (e.g., contribution of \$25 or less; goods or services sold for \$25 or less)

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

**Total Part III (include under Income in Box C)** = \$ \_\_\_\_\_**Part IV – Expenses related to fundraising event or activity**

Provide details

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

**Total Part IV Expenses (include under Expenses in Box C)** = \$ \_\_\_\_\_

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**Auditor's Report – *Municipal Elections Act, 1996* (Section 88.25)**

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A candidate who has received contributions or incurred expenses in excess of \$10,000 must attach an auditor's report.

Professional Designation of Auditor

Municipality	Date (yyyy/mm/dd)
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**Contact Information**

Last Name or Single Name	Given Name(s)	Licence Number
--------------------------	---------------	----------------

Address		
Suite/Unit Number	Street Number	Street Name

Municipality	Province	Postal Code
--------------	----------	-------------

Telephone Number	Email Address
------------------	---------------

The report must be done in accordance with generally accepted auditing standards and must:

- set out the scope of the examination
- provide an opinion as to the completeness and accuracy of the financial statement and whether it is free of material misstatement

Report is attached

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Personal information, if any, collected on this form is obtained under the authority of sections 88.25 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open. Campaign financial statements shall also be made available by the clerk in an electronic format free of charge upon request.