

April 9, 2025

Deputy Lord Mayor/Councillor Wiens,

Summary of Disposition: Code of Conduct Complaint

The following is the relevant extract from our disposition letter to the Complainant regarding their complaint against you, which is being provided for your information as a courtesy:

*We have completed our review of your complaint filed March 17, 2025 against Niagara-on-the-Lake Deputy Lord Mayor/Councillor Erwin Wiens.*

*Your complaint is generally that the Deputy Lord Mayor/Councillor:*

*has a conflict of interest in regard to matters involving the pecuniary interest of his cousin, Rainer Hummel, when such matters come before Council;*

*circumvented/evaded proper disclosure requirements by arranging a meeting involving Premier Ford at places - during the fall of 2024 at a residence owned by Rainer Hummel, and during the Provincial election campaign in February 2025, a campaign stop at the Niagara District Airport - and outside of public town hall meetings; and*

*has a conflict of interest in regard to matters involving or affecting agriculture, and potential Provincial assistance regarding irrigation and drainage, because he has a pecuniary interest given that he operates a family farm in the municipality.*

*We understand your complaint to be, in part, that having taken part in arranging for a campaign stop for Mr. Ford, for a fundraising event for Mr. Ford at a property owned by his cousin, and by potentially benefitting from agricultural assistance promised by the Ford government, the Deputy Lord Mayor/Councillor has raised an appearance of conflict of interest in regard to his support for Doug Ford.*

*We have carefully reviewed the allegations and, for the reasons that follow, we find that your complaint is not sustained.*

*Although the concept of conflicts of interest raised by family relations goes beyond immediate family members to include attributing to members the pecuniary interests, of among others, their siblings, in-laws and grand-children, barring exceptional circumstances (such as joint ventures together) it does not automatically extend to cousins. Without more, the pecuniary interest of a cousin will not automatically be attributed to a member of council to form the basis for a presumption of conflict of interest.*

## Principles Integrity

*Further, a conflict of interest crystallizes when there is a matter before the municipality that requires a decision. Absent his participation in a specific decision-making process, even if we were to determine that the nature of the relationship between the Deputy Lord Mayor/Councillor and his cousin could give rise to a conflict of interest, no finding of a conflict of interest can be made.*

*With respect to the campaign stops, even if the Deputy Lord Mayor/Councillor had been instrumental in arranging for the Ford team to make campaign stops at a property owned by his cousin, or at the Niagara District Airport – in what were apparently media events – such arrangements would not, in our view, constitute circumventing or evading proper disclosure requirements.*

*Further, the participation of the Deputy Lord Mayor/Councillor in discussions of policies and other matters involving agriculture does not, in and of itself, raise a conflict of interest for him. The Municipal Conflict of Interest Act (the MCIA) provides an exemption for matters where any pecuniary interest in the matter is no different than the interest of all (or a significant subset) residents. The interest of the Deputy Lord Mayor/Councillor in agricultural matters is considered such an ‘interest in common’ and as such he is not prohibited from participating in discussions of agricultural matters. Unless there were evidence of his participation in agricultural policy specifically affecting his operation, his interest is an interest in common with other owners of agricultural operations, and therefore he is able to participate. Similarly, the fact that the Premier may have indicated government assistance to improve irrigation or drainage does not, in our view, raise any concern by the mere fact that the Deputy Lord Mayor/Councillor operates a farm.*

*In conclusion we do not agree that the Deputy Lord Mayor/Councillor’s involvement in arranging for a campaign stop for Mr. Ford, for a fundraising event for Mr. Ford at a property owned by his cousin, and by potentially benefitting from agricultural assistance promised by the Ford government, raised an appearance of a disqualifying conflict of interest.*

*Based on the above, we will be closing our file. The Deputy Lord Mayor/Councillor will be advised of our disposition of your complaint. Thank you for bringing this to our attention.*

Having concluded this matter with our disposition letter we will not be submitting a public report to Council. Please let us know if you have any questions.

Sincerely,

Principles Integrity,  
Integrity Commissioner for the  
Town of Niagara On The Lake