



**Information and Privacy  
Commissioner/Ontario**

**Commissaire à l'information  
et à la protection de la vie privée/Ontario**

# **ORDER PO-1829**

Appeal PA-000304-1

Ontario Realty Corporation



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## **NATURE OF THE APPEAL:**

On June 28, 2000, the appellant submitted a request under the *Freedom of Information and Protection of Privacy Act* (the *Act*) to the Ontario Realty Corporation (the ORC). The request was for the following information:

- A copy of all transfer/deed of land documents for all Ontario Realty Corporation deals closed between October 1997 and December 1999.
- The Affidavit of Residence and of Value of the Consideration.
- Any Charges or Mortgages included with the deed.

The ORC did not issue a decision letter to the Requester as required by sections 26 and 29 of the Act within the 30 days prescribed by the *Act*, nor did the ORC request a time extension to process the request under section 27(1) of the *Act*. Accordingly, the ORC placed itself in a "deemed refusal" situation pursuant to section 29(4) of the *Act*. The appellant appealed the Ministry's deemed refusal to provide access to the records.

On October 13, 2000, this office sent a Notice of Inquiry to the ORC and to the appellant. The Notice stated that the ORC was in a "deemed refusal" situation because a final decision letter had not been issued within the prescribed time period. The Notice also indicated that I would attempt to settle the appeal, but if a settlement was not reached by October 27, 2000, I may issue an order requiring the Ministry to issue a decision letter to the appellant.

I contacted the ORC on several occasions to ascertain if they would be issuing a decision letter to the appellant. On all occasions, I was advised that the ORC was still in the approval process regarding the appellant's request. To date, the ORC has not issued a decision letter to the appellant.

Given the above, I am ordering the ORC to issue a decision letter to the appellant with respect to its request for records.

## **ORDER:**

1. I order the ORC to provide the appellant with written notice of its decision on access to the records responsive to the request of June 28, 2000 by **November 8, 2000**, without recourse to a time extension.
2. In order to verify compliance with Provision 1 of this order, I order the ORC to provide me with a copy of the decision letter referred to in Provision 1 by **November 15, 2000**. This should be forwarded to my attention, Information and Privacy Commissioner/Ontario, 80 Bloor Street West, Suite 1700, Toronto, Ontario, M5S 2V1.

Original signed by: \_\_\_\_\_  
Bernie Morrow  
Acting Adjudicator

\_\_\_\_\_ November 1, 2000