

Windsor Licensing Commission – Meeting held February 28, 2018

A meeting of the **Windsor Licensing Commission** is held this day commencing at 9:30 o'clock a.m. in the Council Chambers, 3rd floor, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Paul Borrelli
Councillor John Elliott
Gino Conte
Jack Fathers

Also present are the following resource personnel:

Craig Robertson, Supervisor of Licensing
Bill Tetler, Supervisor of By-law Enforcement
Janna Tetler, Senior Licensing Issuer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 9:30 o'clock a.m. and the Windsor Licensing Commission considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

2. Minutes

Moved by J. Fathers, seconded by Councillor Elliott,
That the minutes of the Windsor Licensing Commission of its meeting held November 22, 2017 **BE ADOPTED** as presented.
Carried.

3. Disclosure of Interest

None disclosed.

4. Request for Deferrals, Referrals or Withdrawals

C. Robertson advises a request for deferral of Item 7 (a) (Mr. Misbahul Mishu Kabir for a Taxicab Driver Licence) to the next scheduled meeting was received to allow sufficient time for legal counsel to review the matter.

Moved by Councillor Elliott, seconded by Councillor Borelli,
That the matter 7(a) relating to a Taxicab Driver Licence for Mr. Misbahul Mishu Kabir **BE DEFERRED** to the March 28, 2018 meeting of the Windsor Licensing Commission to allow sufficient time for legal counsel to review the matter.
Carried.

5. Communications

None.

6. Licence Transfers

(a) Transfer of Plate #216

Mr. Walter Bezzina, Power of Attorney for Mr. Abdul Fakomi, Executor for the Estate of the Late Frank Adeboyeku, Transferor, and Mr. Ahmad Shakib, Transferee are present and available for questions.

Moved by Councillor Borrelli, seconded by G. Conte,
WLC1/2018 That the transfer of Taxicab Plate #216 from The Estate of Frank Adeboyeuku to Mr. Ahmad Shakib **BE APPROVED** with the following conditions:

- Mr. Ahmad Shakib be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
 - Mr. Ahmad Shakib must submit a Plate Holder application and pay the applicable fee.
 - Mr. Ahmad Shakib shall provide verification that full compensation has been made to the Estate of Frank Adeboyeku in consideration of the transfer of taxicab plate #216.
 - Mr. Ahmad Shakib shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.
- Carried.

7. Applications/Hearings

(a) Mr. Mishbahul Mishu Kabir – Taxicab Driver Licence

Mr. Mishbahul Mishu Kabir is present.

This matter is deferred to the March 28, 2018 meeting of the Windsor Licensing Commission to allow sufficient time for legal counsel to review the matter.

(b) Windsor Cruze Limousines Ltd. – Livery Vehicle Class B – Limousine

No one is present to speak to the matter.

C. Robertson states currently there are 3 Class “B” Livery Vehicles licensed in the City of Windsor, therefore, are within the 25 vehicle limit as outlined in By-law 137-2007.

Moved by Councillor Elliott, seconded by Councillor Borrelli,
WLC2/2018 That the livery vehicle plate holder application, submitted by Ms. Sara Amrou o/a Windsor Cruze Limousines Ltd., 4850 North Service Road, Windsor to operate one (1) Class “B” – Livery Vehicle, namely a 2007 Lincoln Executive Towncar limousine (V.I.N. 1L1FM88W07Y621530), **BE APPROVED** with the following conditions:

- Ms. Amrou be given sixty (60) days from the date of this decision to submit proof of a valid Safety Standards certificate and insurance, satisfactory to Sections 4.2 and 9.1 of Schedule 3 to By-law 137-2007,
 - The vehicle must submit to and pass an inspection by the By-law Enforcement Unit.
- Carried.

8. Reports & Administrative Matters

(a) Expired Application(s) for Business Licence

Moved by G. Conte, seconded by J. Fathers,
That the report of the Supervisor of Licensing dated February 9, 2018 entitled “Expired Application(s) for Business Licence” **BE RECEIVED**.
Carried.

(b) Confirm & Ratify E-mail Poll held December 4, 2017

Moved by G. Conte, seconded by Councillor Elliott,
That the following motion **BE CONFIRMED AND RATIFIED**:

WLC 3/2018 That the transfer of Taxicab Plate #104 from Mr. Fadi Nehme to Mr. Elie Kalil be approved with the following conditions:

- Mr. Kalil be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- Mr. Kalil must submit a Plate Holder application and pay the applicable fee.
- Mr. Kalil shall provide verification that full compensation has been made to Mr. Nehme in consideration of the transfer of taxicab plate #104.
- Mr. Kalil shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

9. In Camera

No In Camera session is held.

10. Date of Next Meeting

The next meeting will be held on March 28, 2018 at 9:30 a.m. in the Council Chambers, 3rd floor, City Hall.

11. Adjournment

There being no further business, the meeting is adjourned at 9:40 o'clock a.m.

CHAIR

SECRETARY

THE CORPORATION OF THE CITY OF WINDSOR
Office of the City Clerk - Policy, Gaming, Licensing and By-law Enforcement



MISSION STATEMENT:

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

| | |
|--|---|
| LiveLink REPORT #: 13063 | Report Date: March 9, 2018 |
| Author's Name: Craig Robertson, Supervisor of Licensing & Deputy Licence Commissioner | Date to Commission: March 28, 2018 |
| Author's Phone: 519 255-6100 ext. 6869 | Classification #: Communication |
| Author's E-mail: crobertson@city.windsor.on.ca | |

To: Windsor Licensing Commission

Subject: Release of Taxicab Wheelchair Accessible Plates

1. RECOMMENDATION: City Wide: Ward(s): _____

1. THAT the Windsor Licensing Commission **SUPPORT** and **RECEIVE** this report for information with respect to the Licence Commissioner releasing fifteen (15) Taxicab Wheelchair Accessible plates.
2. THAT Section 7.1 of Schedule 5 to Public Vehicle Licensing Bylaw # 137-2007 as it relates to Driver's List requirements **BE WAIVED** until December 31, 2018 for the sole purpose of releasing the fifteen (15) Taxicab Wheelchair Accessible plates.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

In March 2017, Council adopted resolution **CR180/2017**, which in part included a recommendation for Administration to enter into discussions with industry stakeholders regarding the treatment of accessible taxicab plates.

The City of Windsor's current taxicab fleet consists of six (6) wheelchair accessible taxicabs which are operated under two (2) taxicab brokers being, Canadian Checker Cab and Windsor Cab.

Administration has identified a need within the current industry and environment for an increase in Wheelchair Accessible Taxicab vehicles as the lack of licensed accessible public transportation vehicles lengthens passenger wait times for an accessible vehicle.

Further, the Licence Commissioner has been approached by the owner and operator of Canadian Checker Cab, Mr. Javanshir Abdoulrahmanpour, requesting that additional Taxicab Wheelchair Accessible plates be released to him. Mr. Abdoulrahmanpour indicated that the addition of accessible plates to his current fleet would improve services to the accessible community and address citizen complaints pertaining to “wait times” for accessible taxicab services.

In addition, the City of Windsor’s By-law Enforcement unit has recently fielded and addressed citizen complaints pertaining to increased “waiting times” and shortage of accessible taxicab services within the municipality.

3. DISCUSSION:

Licensing Administration has reviewed the Council recommendation and concerns brought forward with respect to accessible taxicab services within the municipality. The Licence Commissioner recognizes the necessity of efficient accessible taxicab services within the community and supports the release of Taxicab Wheelchair Accessible plates.

At this time, the Licence Commissioner is advising the Windsor Licensing Commission of Council’s direction and is seeking support to conduct this plate release. There has been a significant amount of time that has passed since the release of additional accessible plates. The last release of Taxicab Wheelchair Accessible plates was approved by the Windsor Licensing Commission and City Council in 2015.

The Licence Commissioner will release fifteen (15) Taxicab Wheelchair Accessible plates in accordance with the regulations prescribed under Schedule 5 to Public Vehicle Licensing By-law # 137-2007. Taxicab Wheelchair Accessible plates will first be offered to the individuals on the current Drivers’ List. As of the date of this report, there are currently fifty seven (57) individuals on the Driver’s List. Applicants will be served a notice of the release by registered mail and will have fourteen (14) days to provide a response of interest. Plates will be issued to the interested parties based on their date of seniority. Applicants on the Drivers’ List that refuse an Accessible Taxicab Plate Holder licence will retain their current position on the Drivers’ List.

In order to hold a position on the Drivers’ List or be eligible to be placed on the list, the applicant must meet the following criteria under section 7.1 of Schedule 5 to Public Vehicle Licensing By-law # 137-2007:

“7.1 To be placed on the Drivers’ List, the following criteria must be met:

(a) the applicant is not at the time of application licensed as a taxicab or taxicab or taxicab wheelchair accessible vehicle plate holder and has not been so licensed for a period of at least two (2) years immediately preceding the application;

(b) the applicant is not, and has not been during the period of at least two (2) years immediately preceding the application, a shareholder or a partner in any company or firm having a direct or indirect interest in a taxicab or taxicab wheelchair accessible plate holder’s licence;

(c) the applicant is and has been licensed as a taxicab driver continuously by the City of Windsor, without revocation, lapse or suspension for at least two (2) years immediately preceding the application, and has been continuously and is presently earning a living in the City of Windsor either as a taxicab driver or as a taxicab dispatcher or taxicab fleet manager for an owner during the whole of such two (2) year period (on a full-time basis and not on a part-time basis, where full-time is defined as working at least 35 hours a week for 40 weeks in each of the two (2) years prior to the date of the application);

(d) the applicant provides a signed declaration and an employer's letter confirming the full-time status in accordance with 7.1;

(e) the applicant's taxicab driver licence is in good standing, with no outstanding charges or convictions under this By-law; and,

(f) the applicant pays all fees prescribed by this By-law.”

In the event that the Driver's List becomes exhausted or no interest is shown from those individuals, Administration would like to extend the release of the remaining accessible plates to any individual or party within the municipality's current taxi industry. Existing plate holders, taxicab drivers with low years of experience and Taxi Cab Brokers such as Mr. Abdoulrahamanpour are currently ineligible from obtaining any further plates given the regulations as outlined above under Section 7.1 of Schedule 5 to Public Vehicle Licensing By-law # 137-2007. Therefore, Administration is seeking approval to have the requirements of Section 7.1 waived for those in the taxi industry as part of this accessible plate release until December 31, 2018.

Prior to the release of the remaining accessible plates to the taxicab industry, Administration will notify all licensed Taxicab Brokers and the President of Unifor Local 195 representing a majority of the municipality's taxicab drivers by registered mail of the number of plates available and the process to obtain an accessible plate. A fourteen (14) day deadline will be provided for interested parties to provide a response of interest. Administration will ensure that accessible plates are issued and distributed through a fair process such as a lottery. It should be noted that preference will be given to those interested parties who are not currently licensed as plate holders. Post the fourteen (14) day deadline, any remaining accessible plates will be issued on a "first come, first served basis" until December 31, 2018.

It should also be noted that Schedule 5 to Public Vehicle Licensing By-law # 137-2007 prohibits the transfer of any new Taxicab and/or Taxicab Wheelchair Accessible plate and that they remain the property of the City of Windsor. Administration is requesting that this regulation remain in place and wishes to confirm that the fifteen (15) accessible plates will not be transferrable. Should a plate holder elect to no longer operate an accessible plate, the plate shall revert back to the City.

4. RISK ANALYSIS:

Administration does not foresee any risk by releasing and issuing additional Taxicab Wheelchair Accessible plates. However, there could be significant risks by not releasing additional accessible plates. A customer service and reputational risk to the City and taxicab industry may exist by not providing sufficient accessible service to the City's citizens and passengers who require accessible assistance when utilizing our public transportation system.

5. FINANCIAL MATTERS:

No financial impacts.

6. CONSULTATIONS:

Gayle Jones, Diversity & Accessibility Officer
Bill Tetler, Manager of By-law Enforcement
Javanshir Abdoulrahmanpour, Canadian Checker Cab
Walter Bezzina, Veteran Taxicab Company
John Toth, Unifor Local 195

7. CONCLUSION:

Licensing Administration is fully committed to promoting quality and efficient business practices. The release and issuance of fifteen (15) Taxicab Wheelchair Accessible plates as previously recommended City Council can only enhance the accessible services provided within our community.



Craig Robertson
Supervisor of Licensing and
Deputy Licence Commissioner



Valerie Critchley
City Clerk/Licence Commissioner and
Corporate Leader Public Engagement and
Human Services



Gary Cian
Manager of Policy, Gaming, Licensing &
By-law Enforcement and Deputy Licence Commissioner

CR/cr

APPENDICES:

DEPARTMENTS/OTHERS CONSULTED:**Name:****Phone #: 519 ext.****NOTIFICATION :**

| Name | Address | Email Address | Telephone | FAX |
|--|---|--------------------------|--------------------------|-----|
| Javinshir Abdoullrahmanpour, Canadian Checker Cab | 56 Hanna St. East Windsor, Ontario N8X 2N6 | ph5192547777@hotmail.com | 519-819-6666 | |
| Walter Bezzina, Veteran Taxicab Company | 350 Tuscarora Ave. Windsor, Ontario N9A 3L7 | wbezzina@vetscab.com | 519-256-1868 Ext. 227 | |
| Stuart Caverhill, Gerry's Windsor Cab | 12222 Tecumseh Rd. Tecumseh, Ontario N8N 1L9 | diana@gerrystaxi.ca | 519-735-3531 | |
| Misbahul Mishu Kabir, Windsor Cab | 3219 Baby Street Windsor, Ontario N9C 1K6 | | 519-790-8465 | |
| John Toth, President - Unifor Local 195 | 3400 Somme Ave, Windsor, ON N8W 1V4 | pres@uniforlocal195.com | 519-253-1107 | |

ITEM NO. 6(a)

WINDSOR LICENSING COMMISSION

March 28, 2018

APPLICANT/LICENSEE:

Mr. Kamel Kakish and Mr. Rajaei Kakish
10654 Palms Crescent
Windsor, ON N8R 2E8
Transferor
&
Mr. Elvin Luci
2561 Olive Road
Windsor, ON N8T 0B1
Transferee

LICENCE CATEGORY:

Taxicab Plate #130

Plate Holder licence 17 147304

Folder # ACLT/13099

HEARING PARTICULARS:

Transfer of Taxicab Plate #130

APPENDED MATERIALS

- Application from plate holder requesting transfer, being Appendix "A"
- Application for plate transfer transferee application, being Appendix "B"
- Proof of full-time employment status for Mr. Elvin Luci, being Appendix "C"

LICENCE COMMISSIONER'S COMMENTS

Mr. Kamel Kakish, plate holder of taxicab plate #130, submitted the attached application (Appendix "A") on behalf of the partnership of Mr. Kamel Kakish and Mr. Rajaei Kakish for the prospective transfer of Taxicab Plate #130 to Mr. Elvin Luci.

REGULATORY AUTHORITY

Schedule 5, Part VII, Section 20.1 through 20.4 of Licensing By-law 137-2007 states:

"20.1 Except as approved by the Licensing Commission, a taxicab plate holder may not transfer a taxicab plate and associated taxicab plate holder licence for a period of at least five (5) years from the date of issue of the licence.

20.2 No taxicab plate holder licence shall be transferred without the approval of the Licensing Commission.

20.3 No taxicab plate holder licence shall be transferred until the person to whom the transfer is to be made has first received approval from the Licence Commissioner as a licensee.

20.4 Subject to the restrictions herein, taxicab plates numbered 001 to 224 are transferable,

provided that:

- (a) the transferee satisfies the eligibility criteria for inclusion on the Drivers' List;
- (b) the transferee signs a form of statutory declaration prescribed by the Licence Commissioner;
- (c) the transferor has completed a written application for the transfer in the prescribed form;
- (d) the transferee satisfies the requirements of a taxicab plate holder under this By-law, including submitting for inspection the taxicab to which the plate will be affixed;
- (e) the transferee pays all fees required under this By-law;

and the transferee will receive a taxicab plate holder licence at the time of transfer of the taxicab plate."

Further, Section 21.3 states:

"A taxicab or taxicab wheelchair accessible vehicle plate holder who has held a licence for a minimum of one (1) year may lease the taxicab or taxicab wheelchair accessible vehicle licence on a daily, weekly, monthly or yearly basis provided that:

- (a) the lessee is licensed by the City of Windsor as a taxicab driver;
- (b) all weekly, monthly or yearly leases are filed with and approved by the Licence Commissioner and shall be subject to such terms and conditions the Licence Commissioner may require;
- (c) the amount charged under the lease shall be a fair fee as approved by the Licence Commissioner and no additional charges shall be made against the lessee;
- (d) the lease agreement shall include a statement that the leasing agreement is considered null and void in the event that the lessor or lessee, either by written or verbal agreement, sub-leases the taxicab or taxicab wheelchair accessible vehicle or transfers responsibility for the operation of the taxicab or taxicab wheelchair accessible vehicle to a third party;
- (e) the lease agreement shall contain a clearly-stated right of the lessor and lessee to early termination of the lease;
- (f) where the lessee is a corporation, the lessee shall, at the time at which the lease is filed with the Licence Commissioner in accordance with the provision of this section, file with the Licence Commissioner a form supplied by the Licence Commissioner and a copy of the lessee's articles of incorporation, amendment or amalgamation; and,
- (g) the lease term shall be a minimum of twelve (12) months and a maximum of twenty-four (24) months."

BACKGROUND

- February 12, 2018, transfer application and fee was received on behalf of the partnership of Mr. Kamel Kakish and Mr. Rajaei Kakish from Mr. Kamel Kakish, being Appendix "A"
- February 12, 2018, transferee application for Mr. Elvin Luci was submitted, being Appendix "B".
- February 21, 2018, proof of full-time employment status for Mr. Elvin Luci was submitted, being Appendix "C".

SUMMARY

According to the AMANDA database, Mr. Kamel Kakish and Mr. Rajaei Kakish have formed the partnership has been licensed as the taxi plate holder annually from at least 1998 until the present.

It is being requested that Taxicab Plate #130 be transferred to Mr. Elvin Luci, who is currently not a licensed plate holder. Further, Licensing records indicate that Mr. Luci has been licensed as a taxicab driver since 2013. Although Mr. Luci does not hold a current place on the Driver's List, he does satisfy the requirements, making him eligible to become a Plate Holder.

Administration is prepared to recommend that the transfer be completed pending the following outstanding items:

Mr. Elvin Luci must provide:

- (a) Verification of an appropriate vehicle to which he will affix taxicab plate #130
- (b) A completed Plate Holder application and pay the associated fee
- (c) Verification that full compensation has been made to the the partnership of Mr. Kamel Kakish and Mr. Rajaei Kakish in consideration of the transfer of taxicab plate #130

RECOMMENDATION

THAT the transfer of Taxicab Plate #130 from the partnership of Mr. Kamel Kakish and Mr. Rajaei Kakish to Mr. Elvin Luci **BE APPROVED** with the following conditions:

- Mr. Elvin Luci be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- Mr. Elvin Luci must submit a Plate Holder application and pay the applicable fee.
- Mr. Elvin Luci shall provide verification that full compensation has been made to the the partnership of Mr. Kamel Kakish and Mr. Rajaei Kakish in consideration of the transfer of taxicab plate #130.
- Mr. Elvin Luci shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

DISPOSITION:

OWNER

OFFICE OF THE CITY CLERK



Policy, Gaming & Licensing

350 City Hall Square West - Suite 203
Windsor, ON N9A 6S1
Ph: (519) 255-6200, Option 1 Fax (519) 255-6868
www.citywindsor.ca

TAXICAB PLATE TRANSFER
TRANSFEROR

PLATE TRANSFER FEE \$400.00

Pursuant to Public Vehicle Licensing Bylaw 137-2007, Schedule 5, Section 20 "Transfer of Licences Issued Prior to the Passing of this By-law (Plate #001 to 224 inclusive)", please be advised that I am the Placeholder of the City of Windsor Taxicab Plate No. 130 and I wish to transfer my plate in accordance with Bylaw 137-2007. I am currently licenced as a Placeholder with respect to the operation of the following vehicle:

Form with fields: YEAR: 2011, MAKE & MODEL: Ford CLV, VIN: 2FABP7BV8B X16013, COMPANY NAME: Windsor Airline Limousine

PLEASE PRINT CLEARLY

Form with fields: NAME: Kamel & BAJAEI KAKISH, SIGNATURE: [Signature], ADDRESS: 10654 Palms CR, CITY: Windsor, POSTAL CODE: N8R-2E8, HOME PHONE, CELL PHONE

- By making this application for transfer, I hereby acknowledge that the transfer is not complete until approved by the Windsor Licensing Commission.

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached is collected under the authority of the Municipal Act, City of Windsor Act and City of Windsor Public Vehicle By-law 137-2007 and will be maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

12-02-2018
DATE (MM/DD/YYYY)

[Signature]
SIGNATURE OF APPLICANT

OFFICE USE ONLY

DATE STAMP

RECEIVED

FEB 02 2018

STAFF INITIALS: SH

POLICY GAMING & LICENSING

New person



OFFICE OF THE CITY CLERK

Policy, Gaming & Licensing

350 City Hall Square West - Suite 203

Windsor, ON N9A 6S1

Ph: (519) 255-6200, Option 1 Fax (519) 255-6868

www.citywindsor.ca

TAXICAB PLATE TRANSFER TRANSFEREE

Pursuant to Public Vehicle Licensing By-law #137-2007, Schedule 5, Section 20 "Transfer of Licences Issued Prior to the Passing of this By-law (Plate #001 to 224 inclusive)", please be advised that I am interested in receiving City of Windsor taxicab plate No. 130 and I have reached an agreement with the current plateholder.

PLEASE PRINT CLEARLY

| | | | |
|-------------------------------------|------------------------|------------------|------------------|
| NAME (PRINT CLEARLY): ELVIN LUCI | | | |
| SIGNATURE: | | | |
| ADDRESS: 3624 DEERBROOK DR | | | |
| CITY: WINDSOR | POSTAL CODE: N8R2H9 | HOME PHONE: / | CELL PHONE: / |

By making this application for transfer:

- I hereby declare that I satisfy the eligibility criteria for inclusion on the Drivers' List.
- I hereby acknowledge that the transfer is not complete until approved by the Windsor Licensing Commission.

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached is collected under the authority of the Municipal Act, City of Windsor Act and City of Windsor Public Vehicle By-law 137-2007 and will be maintained in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Windsor Licensing Commission. The name is public information. Any other personal information collected will only be used for investigative purposes. Questions about this collection can be made to the Deputy Licence Commissioner, 350 City Hall Square West, Room 203, Windsor, ON N9A 6S1 / (519) 255-6200, Option 1.

02-12-2018

DATE (MM/DD/YYYY)

SIGNATURE OF APPLICANT

| | |
|---------------------------|---------------------------|
| OFFICE USE ONLY | DATE STAMP |
| | RECEIVED |
| | FEB 12 2018 |
| STAFF INITIALS: <u>SH</u> | POLICY GAMING & LICENSING |



"At your service for over 60 years 519-256-2621"

DIVISION OF WINDSOR AIRLINE LIMOUSINE SERVICES LIMITED

RECEIVED

Date: February 12, 2018

FEB 21 2018

To: The Corporation of the City of Windsor
Office of the City Clerk
Policy, Gaming & Licensing

POLICY GAMING & LICENSING

SUBJECT: Driver's List Application

Applicant: FLUINN KUCI

Taxi License No. 17-144247

This letter will serve to introduce the above captioned dependent contractor who has been signed on with WALS o/a Veteran Cab since 05-01-2013, and has worked at least 35 hours per week for 40 weeks in the 2 years prior to this application.

At this writing the company is not aware of any outstanding charges or convictions against the named driver under By-law #137-2007.

If further information is required, please contact our Human Resources Department at (519) 256-1868 Ext 227.

Kind regards,
Vets Cab Company


W. J. Bezzina
General Manager

per Lori Bastien

ITEM NO. 7(a)

WINDSOR LICENSING COMMISSION

March 28, 2018

APPLICANT/LICENSEE:

Mr. Misbahul Mishu Kabir
609 St. Joseph Street
Windsor, ON N9C 3H3

LICENCE CATEGORY:

Taxicab Driver Licence
17-145110

Folder #ACLT/13069

HEARING PARTICULARS:

Taxicab Driver Licence Review

APPENDED MATERIALS

- Copy of Taxicab Driver licence, being Appendix "A"
- Copy of Complaint received on Jul 20, 2017, being Appendix "B"
- Copy of Complaint received on Nov 9, 2017, being Appendix "C"
- Copy of Complaint received on Dec 27, 2017, being Appendix "D"
- Written statement from Complainant 'B', being Appendix "E"
- Written statement from Complainant 'C', being Appendix "F"
- Written statement from Complainant 'D', being Appendix "G"
- Copy of registered letter sent to Mr. Kabir, being Appendix "H"

LICENCE COMMISSIONER'S COMMENTS

On July 20, 2017, November 9, 2017 and December 27, 2017 complaints were called into 311 and transferred to By-law Enforcement, regarding the conduct of Mr. Misbahul Mishu Kabir, broker, plate holder and driver of Taxicab Plate 300. AMANDA licensing records show that Mr. Misbahul Mishu Kabir has been a licensed taxi cab driver in the City of Windsor since 2007 (17-145110).

REGULATORY AUTHORITY

Public Vehicle Licensing By-Law 137-2007

Power and Duties of the Licence Commissioner

The Licence Commissioner has authority to:

- (a) inspect those parts of any house, place or premises which may be used for the carrying on the licensed activity;*
- (b) inspect goods, wares, merchandise, articles, books, records or other documents relating to the licensed activity;*

- (c) inspect every vehicle and other personal property used or kept for hire in carrying on the licensed activity;*
- (d) require that each vehicle and other personal property used or kept for hire in carrying on the licensed activity be submitted for inspection; and,*
- (e) ensure that each licensee produces the licensed vehicle for inspection at the time and place so designated.*

38. Where, in the opinion of the Licence Commissioner, the carrying on of a licensed activity by a licensee will likely result in a breach of the law or be adverse to the public interest, the Licence Commissioner shall recommend to the Licensing Commission that it suspend, revoke or impose conditions on the licence.

40. Where there is a referral to the Licensing Commission pursuant to this section, the Licensing Commission shall hold a hearing for the purpose of:

- (a) issuing or renewing the licence;*
- (b) refusing to issue or renew the licence;*
- (c) suspending the licence;*
- (d) revoking the licence; or,*
- (e) issuing or renewing the licence with the imposition of conditions.*

41. Where the Licence Commissioner intends to recommend to the Licensing Commission that it refuse to issue, refuse to renew, place conditions on, revoke or suspend a licence, the Licence Commissioner shall give notice of the intended recommendation and the reasons for the intended recommendation to the applicant or licensee as well as to such other persons, civic departments, boards, commissions, authorities and agencies having an interest in the recommendation. Under this section, notice to the applicant or licensee shall be written notice served personally or by registered mail to the address shown on the application or licence.

43. At the hearing, the Licensing Commission may suspend, revoke, and refuse to issue or impose conditions on any licence under this By-law:

- (a) for any reason that would disentitle any licensee to a licence;*
- (b) where the licensee or applicant is in breach of a condition of the licence;*
- (c) where the licensee or applicant is in breach of any of the provisions of this By-law;*
- (d) if there are reasonable grounds to believe any of the statements made on the application for issuance or renewal are false;*
- (e) if, subsequent to the issuance of the licence, a report is filed by any body which originally provided its approval that indicates that the licensee is no longer in compliance with this By-law;*
- (f) upon such grounds as are set out in this By-law;*
- (g) if the applicant has outstanding fees or fines owing to the City, or if the applicant has not paid the required application fee;*
- (h) if the conduct or character of the applicant or licensee affords reasonable cause to believe that the applicant or licensee will not carry on or engage in the business in accordance with the law or with honesty and integrity;*
- (i) if the geographic location of the business does not meet land use requirements;*
- (j) if in the case of a corporate applicant or licensee, the conduct of its officers, directors, employees or agents affords reasonable cause to believe that the business will not be carried on in accordance with the law or with honesty and integrity; or,*
- (k) if issuing the licence is not in the public interest.*

Schedule 5, Taxicab Drivers, Brokers, Taxicab and Taxicab Wheelchair Accessible Vehicle Owners, Part IV – Obligations And Responsibilities

10.1 *When operating a taxicab or taxicab wheelchair accessible vehicle, every taxicab*

driver licensed under this By-law shall:

(e) be civil and courteous, refrain from using profanity, and offer to assist any passenger when it is evident that the passenger is a person with a disability, elderly or otherwise in need of assistance;

(p) maintain a trip sheet during every shift, which is to be deposited at the end of each shift with the plate holder of the vehicle, or the broker, who shall maintain same for a period of one (1) year. The trip sheet shall be in a form approved by the Licence Commissioner and shall contain the following information:

- (i) the name of the owner of taxicab or taxicab wheelchair accessible vehicle plate, and the name of the broker, if any;*
- (ii) taxicab number;*
- (iii) date;*
- (iv) start and end times of each driver's shift;*
- (v) the odometer reading showing on the meter at:*
 - (1.) the commencement of each shift; and,*
 - (2.) the conclusion of each shift;*
- (vi) the number of trips taken during the shift;*
- (vii) the time of each trip;*
- (viii) pick-up address of each trip;*
- (ix) the destination of each trip; and,*
the charge for each trip.

BACKGROUND

The following is a synopsis of the investigations completed by By-law Enforcement Officer Elizabeth Culmone:

- July 20, 2017, a complaint is received via 311. Complaint indicates that on July 20, 2017 City of Windsor Taxicab Plate #300 was waiting at the train station located at 298 Walker Road. Complaint alleges that the taxicab driver did not turn the meter on and stated there is an extra \$5.00 charge for pulling out the wheelchair ramp as the complainant's husband is in a wheelchair. Taxi driver provided a flat rate fee for the complainant to their destination of Casino Windsor.
- November 9, 2017, a complaint is received via 311. Complaint indicates that on November 8, 2017 City of Windsor Taxicab Plate #300 was waiting at the train station located at 298 Walker Road. Complaint alleges that the driver was verbally abusive and aggressive with the caller. Driver did not take the route requested by the complainant. Complainant also alleges that the driver was speeding and taking sharp turns which in turn spilled her groceries (ice cream) inside the taxi. Driver allegedly became aggressive telling the complainant she would have to clean the cab. Both driver and complainant contacted the Windsor Police as they were disputing the fare amount. Driver allegedly locked complainant inside the taxi when she refused to pay the fare in full due to the meter running while they were arguing.
- December 27, 2017, a complaint is received via 311. Complaint indicates that on December 24, 2017 City of Windsor Taxicab Plate #300 was waiting at the train station located at 298 Walker Road. Complaint alleges that the driver put their luggage in the rear of the taxi and informed the complainant that the ride will cost \$20.00, prior to the driver knowing the destination. Driver allegedly said, "I don't like all the snow you brought in the taxi, so I'm charging you \$20.00". When complainant refused, as the normal taxi fare is usually around \$12.00, the driver allegedly kicked them out of the cab and refused service.

- Mr. Kabir did not respond to Officer Culmone's phone calls nor does Mr. Kabir have a voicemail system set up on his contact number. Mr. Kabir was therefore sent a letter via Canada Post registered mail and was given 48 hours from receipt of such letter to contact Officer Liz Culmone.
- January 11, 2018 at approximately 1530hrs, Mr. Kabir phoned Officer Culmone. Mr. Kabir's conduct while speaking with Officer Culmone was unprofessional as he was constantly yelling and screaming, which required the intervention of Bill Tetler, Manager of By-Law Enforcement to calm Mr. Kabir enough to listen to Officer Culmone.
- January 16, 2018 at approximately 1550hrs, Mr. Kabir attended 350 City Hall Square West, 4th floor and met with Officer Culmone and By-Law Enforcement Officer Daryl Flacks with regards to his complaints. During the meeting Mr. Kabir refuted the claims against him. Mr. Kabir was also given 48 hours to submit trip sheets to Officer Culmone for the incidents in questions. Mr. Kabir originally agreed to submit his trip sheets as required under By-Law 137-2007, however once the meeting adjourned, called Officer Culmone and stated he would not be providing trip sheets.

SUMMARY

Due to the nature of confirmed complaints received against Mr. Misbahul Mishu Kabir over the last 6 months, Administration is recommending that Mr. Misbahul Mishu Kabir be required to attend the next available Customer Service portion of the taxicab course administered by Checker Cab Company to ensure he fully understands his roles and responsibilities as a taxicab driver as well as the rights of the customer. Administration has reached out to Checker Cab and they have agreed to provide the customer service portion of the Taxicab Driver Education Program at a cost of \$90 plus HST. This course is available Monday to Friday during regular business hours.

RECOMMENDATION:

THAT Mr. Misbahul Mishu Kabir of 609 St. Joseph Street, Windsor, ON N9C 3H3, to whom City of Windsor Taxicab Driver licence 17 145110 has been issued, **BE REQUIRED** to retake the customer service portion of the Taxicab Driver Education Program by April 16, 2018. And further, **THAT** the Licensing Department **BE ADVISED** in writing by Checker Cab once the training has been completed. And further, **THAT** Mr. Misbahul Misu Kabir make an appointment and meet with the Supervisor of Licensing and the Manager of By-Law Enforcement by April 30, 2018.

AND FURTHER THAT:

SHOULD another complaint be submitted to and substantiated by the City of Windsor By-Law Enforcement Office **THAT** the Taxicab Driver licence 17 145110, issued to Misbahul Mishu Kabir **BE** immediately suspended until the next regularly scheduled meeting of the Windsor Licensing Commission.

DISPOSITION:

LICENCE MUST BE POSTED IN A PROMINENT POSITION ON THE LICENSED PREMISES.



WINDSOR LICENSING COMMISSION BUSINESS LICENCE

OFFICE OF THE CITY CLERK - LICENSING DIVISION
350 City Hall Square West, Room 203
Windsor, ON N9A 6S1

17 145110

PHONE: (519) 255-6200, OPTION 1

FAX: (519): 255-6868

THE ENTITY NAMED HEREIN IS HEREBY GRANTED A LICENCE TO OPERATE THE BUSINESS INDICATED
HEREUNDER

MISBAHUL MISHU KABIR

CONDITIONS, IF ANY:

609 ST JOSEPH ST
WINDSOR ON N9C 3H3

TYPE OF LICENCE

LICENCE FEE

TAXICAB/Driver

| | |
|----------------------|--------|
| Business Licence Fee | 110.00 |
| Photo Fee | 15.00 |
| HST | 1.95 |

New

Renewal

TOTAL FEE

126.95

Date of Issue August 10, 2017

Date of Expiry August 31, 2018

Issuer Janna Tetler

Valerie Cutchley
LICENCE COMMISSIONER

File COPY



REQUEST FOR SERVICE

CITY OF WINDSOR

Problem Type: **Licence Enforcement - Taxi Cab Driver**

Sequence #: **17 142132 LE**

Details of Problem husband in wheelchair. didn't turn on meter. after we got in and he started. he said there is a 5 dollar extra charge for pulling out the ramp. he also said we could have also had the meter running instead. didn't tell us this. until after he had all ready put wheelchair in and tied it up. and we were on the way. why is there an extra charge for a wheelchair cab anyways.

Nature of Taxi Call?: Complaint

Taxi Company?: Windsor cab I believe.
though think he is independent.

Taxi Number?: 300

Time of Occurrence?: 4:40 PM

Date of Occurrence?: 2017-07-11 00:00:00

Location of Pick-Up?: train station

Problem Location ~~NO ADDRESS~~ **Location of Drop-Off?:** Windsor casino.

Property Owner
Address

Roll # - - - - **Zoning**

Legal Description **This property was created for the 311 call centre.**

Caller **First Name:** AMY **Phone Number 1:**
Last Name: OSBORNE **Phone Number 2:** - - - e
Address:
ON

Call Received Jul 20, 2017 **By:** USER, CWI **311 Service Request #:** 17-00029381

Task Site Visit **Closed** **Previously Assigned To:**

Assigned To Elizabeth Culmone

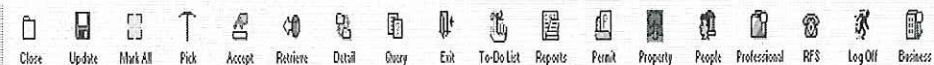
Date Assigned Jul 28, 2017

Result

Comments

Temporary Repair? Yes or No **Complainant Advised?** Yes or No

Date: _____ **Signed:** _____



NO ADDRESS Ward NO ADDRESS [LE] Print Screen

Folder | Property (1) | People (2) | Info (21) | Fee/Charge | Process (2) | Document (3) | File | Comment | Attachment

| Folder # | Ref | Gen | Year | Seq | Type | Sub |
|---|--------------|----------|-----------------------|---------|---------------------|-----------------|
| 2017 | 142132 | 000 | 00 | LE | Licence Enforcement | Taxi Cab Driver |
| Work | In Date | Status | Group | Row ID | | |
| | Jul 20, 2017 | Complete | RFS - By-Law Enforcem | 1518528 | | |
| Details of Problem / Notes to Crew | | | | | | Priority |
| Husband in wheelchair. didn't turn on meter. after we got in and he started he said there is a 5 dollar extra charge for pulling out the ramp. he also said we could have also had the meter running instead. didn't tell us this. until after he had all ready put wheelchair in and tied it up. and we were on the way. | | | | | | |
| | | | | | | Parent ID |
| | | | | | | |

| Additional Info | Value |
|----------------------|---|
| Priority | <input type="checkbox"/> Standard |
| Source | <input checked="" type="checkbox"/> Web Intake |
| Call Taken By | <input checked="" type="checkbox"/> USER, CWI |
| Night Inspection? | <input checked="" type="checkbox"/> No |
| Political Ward? | <input checked="" type="checkbox"/> NO ADDRESS |
| Nature of Taxi Call? | <input checked="" type="checkbox"/> Complaint |
| Taxi Company? | <input checked="" type="checkbox"/> Windsor cab I believe |

A: Text Field Editor (Maximum 4000 characters)

Phoned complainant and confirmed details She paid \$15 he did not turn on meter. She did not get the number but said it was a light green, soft orange colour and it was for handicapped. He said it's an extra \$5 to pull the ramp out.

Process explained, will begin investigation asap.

Spell Check Rulers

| Process | 19080 | Preparation |
|-------------------------------|-------------------|----------------|
| Start Date | End Date | |
| Schedule | Jul 24, 2017 | |
| Actual | Jul 20, 2017 | Jul 24, 2017 |
| Assigned | Elizabeth Culmone | Status: Closed |
| assigned to Elizabeth Culmone | | |

| User | Result | Comment |
|---------------|------------------|---------------------------------|
| Elizabeth Cul | Preparation Comp | Phoned complainant and confirme |

Start Today End Today Checklist Deficiency

List View Related View Info Library Copy Print Re-Default GIS Email

Show no. of rows on tabs < Back Forward >



NO ADDRESS WARD NO ADDRESS [LE] Print Screen

Folder: Property (1) People (2) Info (21) FeeCharge Process (2) Document (3) File Comment Attachment

| | | | | | | |
|--|---|----------|--------------------------|---------|---------------------|-----------------|
| Folder # | Ref | Can | Year | Seq | Type | Sub |
| 201714213200000LE | 20 | 17 | 142132 | LE | Licence Enforcement | Taxi Cab Driver |
| | Work | In-Date | Status | Group | RowID | |
| | Jul 20, 2017 | Complete | PFS - By-Law Enforcement | 1518528 | | |
| Details of Problem / Notes to Crew | | | | | | |
| Husband in wheelchair, didn't turn on meter, after we got to and he stated he said there is a 3 dollar extra charge for pulling out the ramp. He also said we could have also had the meter running righted, didn't let us fix, until after he had already got the wheelchair in and tied it up, and we were on the way. | | | | | | |
| Additional Info | | | | | | |
| Priority | 8 - Standard | | | | | |
| Source | P <input checked="" type="checkbox"/> Available | | | | | |
| Call Taken By | A <input checked="" type="checkbox"/> JUSER, CIVIL | | | | | |
| Night Inspection? | B <input checked="" type="checkbox"/> No | | | | | |
| Police Ward? | C <input checked="" type="checkbox"/> NO ADDRESS | | | | | |
| Nature of Taxi Call? | C <input checked="" type="checkbox"/> Complaint | | | | | |
| Taxi Company? | A <input checked="" type="checkbox"/> Windsor cab I believe | | | | | |

A: Text Field Editor (Maximum 4000 characters)

Propped cab driver and he became irritated and irrational screaming at the top of his lungs. Tried to settle him down but he was beyond control yelling and screaming that the complainant is a LAR not true. I explained that if he fails to put the meter on again I have warned the complainant to not say a word and when they arrive at the destination in accordance with the law the ride will be free. He was livid and could not even breath properly screaming that he was going to throw the vehicle in the ditch. I advised the complainant will stay on his record and should the irrational behavior continue he will find himself in front of the MLC and could lose his licence and to breath. Manager Bill Teller and Officer Jemmer witnessed the call and can confirm I remained calm and matter of fact.

Spell Check Plans

| User | Result | Comment |
|------------------------|------------------------------------|---------|
| abehh.CMLCommunication | Will investigate asap | |
| abehh.CMLCommunication | Driver information received, and a | |
| abehh.CMLCommunication | Propped cab driver and he became | |
| abehh.CMLCommunication | Driver warned of consequences | |

Process: [366] Site Visit

Start Date: Jul 28, 2017 End Date: Jul 31, 2017

Actual: Jul 24, 2017

Assigned: Elizabeth Cuhme Status: Closed

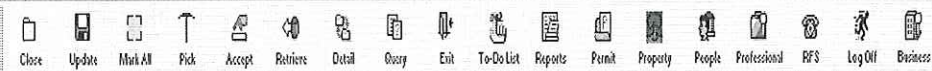
Start Today End Today Checklist Delegation

List View Related View

Home Copy Edit Refresh Print Email

Show no. of rows on tabs

< Back Forward >



NO ADDRESS Ward NO ADDRESS [LE] Print Screen

Folder | Property (1) | People (2) | Info (21) | Fee/Charge | Process (2) | Document (3) | File | Comment | Attachment

| Folder # | Ref | Con | Year | Seq | Type | Sub |
|--|--------------|---------------------|-----------------------|---------|-----------------|-----------|
| 2017142132000000 | LE | Licence Enforcement | | | Taxi Cab Driver | |
| Work | In Date | Status | Group | Row ID | | |
| | Jul 20, 2017 | Complete | RFS - By-Law Enforcen | 1518528 | | |
| Details of Problem / Notes to Crew | | | | | | Priority |
| husband in wheelchair. didn't turn on meter. after we got in and he started he said there is a 5 dollar extra charge for pulling out the ramp. he also said we could have also had the meter running instead. didn't tel us this. until after he had all ready put wheelchair in and tied it up. and we were on the way. | | | | | | Parent ID |

| Additional Info | Value |
|----------------------|---|
| Priority | B <input type="checkbox"/> Standard |
| Source | P <input checked="" type="checkbox"/> Web Intake |
| Call Taken By | A <input checked="" type="checkbox"/> USER, DWI |
| Night Inspection? | B <input checked="" type="checkbox"/> No |
| Political Ward? | C <input checked="" type="checkbox"/> NO ADDRESS |
| Nature of Taxi Call? | C <input checked="" type="checkbox"/> Complaint |
| Taxi Company? | A <input checked="" type="checkbox"/> Windsor cab I believe |

A: Text Field Editor (Maximum 4000 characters)

Driver warned of consequences and passanger advised not to pay if the meter is not on in the future.

Note and file at this time.

Spell Check Rulers

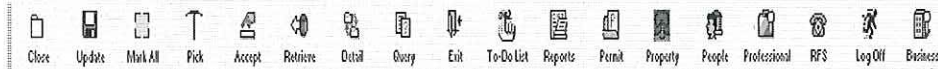
| | | |
|------------|-------------------|----------------|
| Process | 19081 | Site Visit |
| Start Date | | End Date |
| Schedule | Jul 28, 2017 | |
| Actual | Jul 24, 2017 | Jul 31, 2017 |
| Assigned | Elizabeth Culmone | Status: Closed |

| User | Result | Comment |
|-----------|---------------|------------------------------------|
| sbeth Cul | Communication | will investigate asap |
| sbeth Cul | Communication | Driver information received, and a |
| sbeth Cul | Communication | Phoned cab driver and he became |
| sbeth Cul | Education | Driver warned of consequences e |

Start Today End Today Checklist Delinquency

List View Related View Info Library Copy Print Re-Default GIS Email

Show no. of rows on tabs < Back Forward >



298 WALKER ROAD Ward 5 [LE] Print Screen

Folder | Property | People (3) | Info (21) | Fee/Charge | Process (2) | Document (3) | File | Comment (1) | Attachment

| Folder # | Ref | Con | Year | Seq | Type | Sub | Additional Info | Value |
|--|-----|------|------|-------------|----------|--|-----------------------|--|
| 201718572100000LE | | 20 | 17 | 185721 | LE | Licence Enforcement Taxi Cab Driver | Nature of Taxi Call? | C <input checked="" type="checkbox"/> Complaint |
| | | Work | | In Date | Status | Group | Taxi Company? | A <input checked="" type="checkbox"/> Windsor Cab |
| | | | | Nov 9, 2017 | Complete | PFS - By-Law Enforcen | Taxi Number? | A <input checked="" type="checkbox"/> 300 |
| | | | | | | | Time of Occurrence? | A <input checked="" type="checkbox"/> 11:45 PM |
| | | | | | | | Date of Occurrence? | D <input checked="" type="checkbox"/> 2017-11-08 00:00:00 |
| | | | | | | | Location of Pick-Up? | A <input checked="" type="checkbox"/> Via Rail, 298 Walker |
| | | | | | | | Location of Drop-Off? | A <input checked="" type="checkbox"/> f |
| <p>Details of Problem / Notes to Crew</p> <p>Took the taxi from Via rail, Windsor cab. Driver was verbally abusive and aggressive with the caller. Caller has contacted the police and the caller was blamed for making a mess in the cab when the cab driver was driving erratically. Cab fare was running during the argument and still wanted the caller</p> | | | | | | | | |

| Process | Started | Ended | Status |
|-------------|--------------|--------------|--------|
| Site Visit | Nov 10, 2017 | Nov 21, 2017 | Closed |
| Preparation | Nov 09, 2017 | Nov 10, 2017 | Closed |

| Attempt | User | Result | Co |
|--------------|---------------|------------------|-----------------|
| Nov 10, 2017 | Elizabeth Cul | Communication | See prep notes |
| Nov 14, 2017 | Elizabeth Cul | Communication | Returns my call |
| Nov 16, 2017 | Elizabeth Cul | Communication | Spoke with Ma |
| Nov 21, 2017 | Elizabeth Cul | Education Letter | Sent out Wine |

Start Today | End Today | Checklist | Delinquency

List View | Related View | Info Library | Copy | Print | Re-Default | Email

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293 WALKER ROAD Ward 5 [LE] Print Screen

Folder | Property | People (3) | Info (21) | Fee/Charge | Process (2) | Document (3) | File | Comment (1) | Attachment

| Folder # | Ref | Gen. Year | Seq | Type | Sub |
|--|-----|-----------|-------------|----------|-------------------------------------|
| 2017 185721 000 00 LE | | 2017 | 185721 | LE | Licence Enforcement Taxi Cab Driver |
| | | Work | In Date | Status | Group |
| | | | Nov 9, 2017 | Complete | RFS - By-Law Enforcen |
| | | | | | 1545750 |
| Details of Problem / Notes to Crew | | | | | |
| Took the taxi from Via rail, Windsor cab. Driver was verbally abusive and aggressive with the caller. Caller has contacted the police and the caller was blamed for making a mess in the cab when the cab driver was driving erratically. Cab fare was running during the argument and still wanted the caller | | | | | |
| Parent ID | | | | | |

| Additional Info | Value |
|-----------------------|--|
| Nature of Taxi Call? | C <input checked="" type="checkbox"/> Complaint |
| Taxi Company? | A <input checked="" type="checkbox"/> Windsor Cab |
| Taxi Number? | A <input checked="" type="checkbox"/> 300 |
| Time of Occurrence? | A <input checked="" type="checkbox"/> 11:45 PM |
| Date of Occurrence? | D <input checked="" type="checkbox"/> 2017-11-08 00:00:00 |
| Location of Pick-Up? | A <input checked="" type="checkbox"/> Via Rail, 293 Walker |
| Location of Drop-Off? | A <input checked="" type="checkbox"/> |

| People* | Property | Find | Last | Clear | Folders on People | People |
|--------------|----------|-------|------------------|----------|-------------------|--------|
| First | Last | Orig. | (519) 790-8465 e | Cellular | | |
| MISBAHUL MIS | KABIR | | | | | |

| Process | 19001 | Site Visit |
|------------|-------------------|---------------|
| Start Date | | End Date |
| Schedule | Nov 28, 2017 | |
| Actual | Nov 10, 2017 | Nov 21, 2017 |
| Assigned | Elizabeth Culmone | Status Closed |

Text Field Editor (Maximum 4000 characters)

Returns my call and left voice mail. Went through McDonald drive thru. She is a nurse and she recognized he was not in control of his emotions.

She would be willing to testify, she is a rational person. She felt afraid for her life. Doors were locked she couldn't get out of the cab. The only way she got away from this fellow was for her to be calm. The fact is the cab fare doubled due to his accessive time in being erratic.

She is prepared to testify. He was so aggressive and verbally abusive, he is dangerous. "There is seriously something mentally wrong with this man". She is a nurse and knows there is a problem. There is a choice to get help. AND when he doesn't get help then he is dangerous to society. No one is taking responsibility for their actions (referring to his behaviour). Which is part of the mental health symptom.

Process explained. Will investigate asap.

Spell Check | Rules

| User | Result | Comment |
|---------------|------------------|------------------------------------|
| Elizabeth Cul | Communication | See prep notes. awaiting I/u from |
| Elizabeth Cul | Communication | Returns my call and left voice mai |
| Elizabeth Cul | Communication | Spoke with Manager, confirmed s |
| Elizabeth Cul | Education Letter | Sent out Witness statement as sh |



REQUEST FOR SERVICE

CITY OF WINDSOR

Problem Type: **Licence Enforcement - Taxi Cab Driver**

Sequence #: **17 193948 LE**

Details of Problem Caller got into the taxi, the driver put their baggage in. He informed the people that he is going to charge them \$20.00. She did not yet even inform him of where she was going. She said she takes a taxi often, and it only costs \$12.00. Taxi driver told her I do not like all of the snow you brought in, so I am charging you \$20.00. Caller said "I don't think so." Cab driver said "then get out of my taxi and take another one."

Nature of Taxi Call?: Complaint
Taxi Company?: Windsor Taxi
Taxi Number?: 300
Time of Occurrence?: 10:30 PM
Date of Occurrence?: 2017-12-24 00:00:00
Location of Pick-Up?: Via Rail Train Station

Problem Location **NO ADDRESS**

Property Owner
Address

Roll # - - - - **Zoning**

Legal Description **This property was created for the 311 call centre.**

Caller **First Name: AUDREY** **Phone Number 1: a**
Last Name: WILSON **Phone Number 2: - - - e**
Address:

Call Received **Dec 27, 2017** **By: SMITH, JENNA** **311 Service Request #: 17-00058531**

Task **Site Visit** **Closed** **Previously Assigned To:**

Assigned To **Elizabeth Culmone**

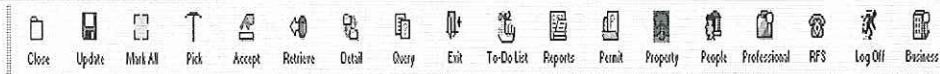
Date Assigned **Jan 18, 2018**

Result

Comments _____

Temporary Repair? Yes or No **Complainant Advised?** Yes or No

Date: _____ **Signed:** _____



NO ADDRESS Ward NO ADDRESS [LE] Print Screen

Folder | Property (1) | People (2) | Info (21) | Fee/Charge | Process (2) | Document (3) | File | Comment (3) | Attachment

| Folder # | Ref | Gen | Year | Seq | Type | Sub |
|---|--------------|----------|-----------------------|---------|------|-------------------------------------|
| 2017 | 193948 | 000 | 00 | 00 | LE | Licence Enforcement Taxi Cab Driver |
| Work | In Date | Status | Group | Row ID | | |
| | Dec 27, 2017 | Complete | RFS - By-Law Enforcen | 1555281 | | |
| Details of Problem / Notes to Crew | | | | | | Priority |
| Caller got into the taxi, the driver put their baggage in. He informed the people that he is going to charge them \$20.00. She did not yet even inform him of where she was going. She said she takes a taxi often, and it only costs \$12.00. Taxi driver told her I do not like all of the snow you brought in, so I an | | | | | | Parent ID |

| Additional Info | Value |
|----------------------|--|
| Priority | B <input type="checkbox"/> Standard |
| Source | P <input checked="" type="checkbox"/> Phone |
| Call Taken By | A <input checked="" type="checkbox"/> SMITH, JENNA |
| Night Inspection? | B <input type="checkbox"/> |
| Political Ward? | C <input checked="" type="checkbox"/> NO ADDRESS |
| Nature of Taxi Call? | C <input checked="" type="checkbox"/> Complaint |
| Taxi Company? | A <input checked="" type="checkbox"/> Windsor Taxi |

| Process | 19080 | Preparation |
|-------------------------------|-------------------|---------------|
| Start Date | End Date | |
| Schedule | Jan 02, 2018 | |
| Actual | Dec 27, 2017 | Jan 02, 2018 |
| Assigned | Elizabeth Culmone | Status Closed |
| assigned to Elizabeth Culmone | | |

| User | Result | Comment |
|---------------|------------------|-----------------------------------|
| Elizabeth Cul | Preparation Comp | Called and confirmed details, non |

Start Today End Today Checklist Delinquency

A: Text Field Editor (Maximum 4000 characters)

Called and confirmed details, normally she wouldn't complain but she doesn't want him to treat others like this and would be willing to testify. Her son was with her and can testify as well.

Spell Check Rules

List View Related View Info Library Copy Print Re-Default GIS Email

Show no. of rows on tabs < Back Forward >



NO ADDRESS Ward NO ADDRESS [LE] Print Screen

Folder | Property (1) | People (2) | Info (21) | Fee/Charge | Process (2) | Document (3) | File | Comment (3) | Attachment

| Folder # | Ref | Con | Year | Seq | Type | Sub |
|-------------------|-----|------|------|--------------|----------|-------------------------------------|
| 201719394800000LE | | 20 | 17 | 193948 | LE | Licence Enforcement Taxi Cab Driver |
| | | Work | | In Date | Status | Group |
| | | | | Dec 27, 2017 | Complete | RFS - By-Law Enforcen |
| | | | | | | 1555281 |
| | | | | | | Priority |
| | | | | | | Parent ID |

Additional Info

| Additional Info | Value |
|----------------------|--|
| Priority | B <input type="checkbox"/> Standard |
| Source | P <input checked="" type="checkbox"/> Phone |
| Call Taken By | A <input checked="" type="checkbox"/> SMITH, JENNA |
| Night Inspection? | B <input type="checkbox"/> |
| Political Ward? | C <input checked="" type="checkbox"/> NO ADDRESS |
| Nature of Taxi Call? | C <input checked="" type="checkbox"/> Complaint |
| Taxi Company? | A <input checked="" type="checkbox"/> Windsor Taxi |

Process 19081 Site Visit

| Start Date | End Date |
|-----------------------|--------------|
| Schedule Jan 18, 2018 | |
| Actual Jan 02, 2018 | Jan 19, 2018 |

Assigned Elizabeth Culmone Status Closed

| Per | Result | Comment |
|--------|---------------|----------------------------------|
| th Col | Communication | Phoned driver, no answer, no voi |
| th Col | Communication | Searched Canadapost.ca tracki |
| th Col | Communication | Phoned complainant and she con |
| th Col | Communication | Meeting held Tuesday at 3:50 pm |

Stat Today End Today Checklist Delicency

List View Related View Info Library Copy Print Re-Default Em2

Show no. of rows on tabs < Back Forward >

A) Text Field Editor (Maximum 4000 characters)

Phoned driver, no answer, no voicemail.

Attached complaint to taxi driver folder.

Sent registered letter, see comment tab for details Also see complaint 17-185721 as this is an active complaint already under investigation as well.

Spell Check Rulers



NO ADDRESS Ward NO ADDRESS [LE]

Folder | Property (1) | People (2) | Info (21) | Fee/Charge | Process (2) | Document (3) | File | Comment (3) | Attachment

| Folder# | Ref | Con | Year | Seq | Type | Sub |
|-----------------------|-----|------|------|--------------|----------|-------------------------------------|
| 2017 193948 000 00 LE | | 20 | 17 | 193948 | LE | Licence Enforcement Taxi Cab Driver |
| | | Work | | In Date | Status | Group |
| | | | | Dec 27, 2017 | Complete | RFS - By-Law Enforcen |
| | | | | | | 1555281 |
| | | | | | | Priority |
| | | | | | | Parent ID |

| Additional Info | Value |
|----------------------|--|
| Priority | B <input type="checkbox"/> Standard |
| Source | P <input checked="" type="checkbox"/> Phone |
| Call Taken By | A <input checked="" type="checkbox"/> SMITH, JENNA |
| Night Inspection? | B <input type="checkbox"/> |
| Political Ward? | C <input checked="" type="checkbox"/> NO ADDRESS |
| Nature of Taxi Call? | C <input checked="" type="checkbox"/> Complaint |
| Taxi Company? | A <input checked="" type="checkbox"/> Windsor Taxi |

A7 Text Field Editor (Maximum 4000 characters)

Searched Canadapost.ca tracking number RN0545911337CA and confirmed registered mail was signed for on January 10th @ 5:51 pm by Misbuhal Kabir.

printed out confirmation of deliver, and copy of signature. Details of letter state he is to contact myself within 48 hours of receipt of the letter.

Driver phones very upset. Attempted to advise he needs to come into office for interview. Altercation ensued, on speaker phone so it was witnessed by Officer Flacks and Manager Bill Teller. Appointment made for Friday at 3:30 pm

Spell Check Rulers

| Process | 19061 | Site Visit |
|------------|-------------------|----------------|
| Start Date | End Date | |
| Schedule | Jan 18, 2018 | |
| Actual | Jan 02, 2018 | Jan 19, 2018 |
| Assigned | Elizabeth Culmone | Status: Closed |

| er | Result | Comment |
|--------|---------------|----------------------------------|
| th Cul | Communication | Phoned driver, no answer, no voi |
| th Cul | Communication | Searched Canadapost.ca tracking |
| th Cul | Communication | Phoned complainant and she con |
| th Cul | Communication | Meeting held Tuesday at 3:50 pm |

List View Related View Info Library Copy Print Re-Default GIS Email

Show no. of rows on tabs < Back Forward >



NO ADDRESS Ward NO ADDRESS [LE] Print Screen

Folder | Property (1) | People (2) | Info (21) | Fee/Charge | Process (2) | Document (3) | File | Comment (3) | Attachment

| Folder # | Ref | Gen | Year | Seq | Type | Sub |
|---|-----|------|------|--------------|----------|-------------------------------------|
| 201719394800000LE | | 20 | 17 | 193948 | LE | Licence Enforcement Taxi Cab Driver |
| | | Work | | In Date | Status | Group |
| | | | | Dec-27, 2017 | Complete | RFS - By-Law Enforcen |
| | | | | | | 1555281 |
| Details of Problem / Notes to Crew | | | | | | |
| Caller got into the taxi, the driver put their baggage in. He informed the people that he is going to charge them \$20.00. She did not yet even inform him of where she was going. She said she takes a taxi often, and it only costs \$12.00. Taxi driver told her I do not like all of the snow you brought in, so I am | | | | | | Priority |
| | | | | | | Parent ID |

| Additional Info | Value |
|----------------------|--|
| Priority | B <input type="checkbox"/> Standard |
| Source | P <input checked="" type="checkbox"/> Phone |
| Call Taken By | A <input checked="" type="checkbox"/> SMITH, JENNA |
| Night Inspection? | B <input type="checkbox"/> |
| Political Ward? | C <input checked="" type="checkbox"/> NO ADDRESS |
| Nature of Taxi Call? | C <input checked="" type="checkbox"/> Complaint |
| Taxi Company? | A <input checked="" type="checkbox"/> Windsor Taxi |

| Process | 19061 | Site Visit |
|------------|-------------------|----------------|
| Start Date | | End Date |
| Schedule | Jan 18, 2018 | |
| Actual | Jan 02, 2018 | Jan 19, 2018 |
| Assigned | Elizabeth Culmone | Status: Closed |

A: Text Field Editor (Maximum 4000 characters)

Meeting held Tuesday at 3:50 pm taped interview downloaded to my computer desktop.

Complainants confirm the will provide statements.
 Preliminary Progressive Infraction report completed and sent to Manager for information. See comments (2) for details of report

Spell Check | Filters

| Per | Result | Comment |
|---------------|---------------|----------------------------------|
| Elizabeth Cul | Communication | Phoned driver, no answer, no voi |
| Elizabeth Cul | Communication | Searched Canadapost.ca tracking |
| Elizabeth Cul | Communication | Phoned complainant and she con |
| Elizabeth Cul | Communication | Meeting held Tuesday at 3:50 pm |

List View | Related View | Info Library | Copy | Print | Re-Default | Email

Show no. of rows on tabs | < Back | Forward >



NO ADDRESS Ward NO ADDRESS [LE] Print Screen

Folder: Property (1) | People (2) | Info (21) | Fee/Charge | Process (2) | Document (3) | File | Comment (3) | Attachment

| Folder # | Ref | Len | Year | Seq | Type | Sub |
|--|--------------|----------|--------------------------|---------|---------------------|--|
| 20171939480000LE | 20 | 17 | 193948 | LE | License Enforcement | Taxi Cab Driver |
| | Work | In Date | Status | Group | RowID | |
| | Dec 27, 2017 | Complete | PFS - By-Law Enforcement | 1555281 | | |
| Details of Problem / Notes to Crew | | | | | | |
| Caller got into the taxi, the driver put their baggage in. He told me the people that he is going to charge them \$20.00. She did not yet even inform him of where she was going. She said she takes a taxi often, and it only costs \$12.00. Taxi driver told her I do not like all of the snow you brought in, so I am | | | | | | |
| Additional Info | | | | | | |
| Property | | | | | | Value |
| Source | | | | | | <input type="checkbox"/> Shared |
| Call Taken By | | | | | | <input checked="" type="checkbox"/> Phone |
| Night Inspection? | | | | | | <input checked="" type="checkbox"/> SMITH, JENNA |
| Police IVand? | | | | | | <input type="checkbox"/> B |
| Nature of Taxi Call? | | | | | | <input checked="" type="checkbox"/> NO ADDRESS |
| Taxi Company? | | | | | | <input checked="" type="checkbox"/> Complex |
| | | | | | | <input checked="" type="checkbox"/> Windsor Taxi |

Property Property People Find List Clear Folders on Prop. Property

A: Text Field Editor (Maximum 4000 characters)

Meeting held Tuesday at 3:50 pm taped interview downloaded to my computer desktop.

Complainants confirm the will provide statements.
Preliminary Progressive Infraction report completed and sent to Manager for information. See comments (2) for details of report

| Process | Started | Ended | Status |
|-------------|--------------|--------------|--------|
| Site Visit | Jan 02, 2011 | Jan 19, 2011 | Closed |
| Preparation | Dec 27, 2011 | Jan 02, 2011 | Closed |

| Item | Result | Comment |
|-----------------------|---|---------|
| Mh Call/Communication | Searched Caseload calendar. | |
| Mh Call/Communication | Provided complainant and the con | |
| Mh Call/Communication | Meeting held Tuesday at 3:50 pm | |
| Mh Call/Communication | Report: Police has statement prepared and | |

Show no. of rows on tabs

< Back

Forward >

Spell Check Rules

Ready



My husband and I arrived from out of town at the via rail station in Windsor, Ontario on July 11, 2017. The address of the via rail station is: 298 Walker Rd, Windsor, ON N8Y 2M9.

My husband is in a power wheelchair so we needed an accessible cab.

We wanted to go to the casino the address is: 377 Riverside Dr E, Windsor, ON N9A 7H7.

It was my husband and myself. I am not in a wheelchair. Plus we had one bag with us that was on wheels since we were coming in from out of town.

We were deciding on how to get to the casino from the train station when we saw an accessible cab.

The cab was a Windsor cab the number is 300.

So Windsor cab 300.

The man said there was a 5.00 dollar fee that he said was extra for pulling out the ramp for the wheelchair. I thought this wasn't right so I asked him why there was a 5.00 dollar fee and he said that the city of Windsor said that he could do this and that it was okay for him to do this.

The time was 4:40 pm July 11, 2017

It was around 4:40 pm by now. It was so hot and we were tired from our long train ride so we agreed and got in.

He then asked where we were going so we told him the casino

He asked me how much I thought it would be to go to the casino I told him it would be ten dollars and then he said ok but he had to add the 5.00 dollars to the ride because of the ramp thing.

We agreed to pay 15.00 dollars for the ride.

He was grumbling the whole time he was strapping my husband down.

He took off and he didn't turn on the meter. Which I later learned that if the meter wasn't running that I should have had the ride for free.

All he did on the ride was complain, complain, and complain. He complained about handi transit saying how awful there were, about cab companies in general.

He also said in this ride that we could have chosen to run the meter while he was tying my husband up because of the wheelchair instead of the 5.00 dollar fee.

Also on the ride he accused us of reporting him before which we hadn't reported him before. The reason I reported him this time was because I didn't think it was right for him to charge extra money just because my husband was in a wheelchair. Other cities like Toronto and Mississauga don't charge extra for the fact that you are in a wheelchair so I didn't think it was fair that Windsor or this cab driver did. That just didn't seem fair. These are the reasons I decided to write to the city of Windsor by enforcement office. I don't think this gentleman should be driving an accessible cab for the city of Windsor. He takes advantage of people, and takes advantage of people who are in wheelchairs. Something needs to be done about this. What he is doing isn't right and he should have some consequence for his actions.

Thanks.

Today's date is:

January 12, 2018

10:35 am.

My name is Amy Osborne

My husband is Joshua Osborne.

He is the one in the power wheelchair.

Our address is:

Home phone number is

Amy Osborne

amy *Osborne*



CITY OF WINDSOR

STATEMENT

PAGE(S): OF

CONTINUATION REPORT

FILE #: RFS 2017-185721

Location Statement recorded:

Date of Statement:

Victim:

Family name: Roberts

Given name(s): Kathleen Rachel

Sex:

Witness:

Date of birth:

Contact number:

Address:

City: Windsor

Province: ON

Recording Officer:

Department: Enforcement Department

Employee #

On Nov 9, 2017 Taxi taken from Va Rail to Home Address
 - Last Train 11:45 -
 Driver driving fast and did not take route requested to stay on Wyandotte E to check Shoppers Drug Mart & McDonalds.
 - Driver went to Metro 1st, then back tracked to McDonalds - I was aware fair running during Drive though - OK
 - Driver then took very sharp turn fast - All food & Bag flew to front (back) of Van - Ice cream spilled.
 - I had to hang onto seat.
 - Told Driver about ~~hazard~~ occurred. Driver began to yell and said I had to clean up taxi, remained in middle of street - Wyandotte East while arguing - Cab fair running - at this time.
 - When questioned fair increasing while arguing Driver became verbally aggressive & argued all the way to my residence - Driving erratically.
 - Driver locked me in taxi when I would not pay full amount after fee increased while Driver yelling at me.
 - He called police
 - I gave him \$20.00 - He blamed me for Van door being locked.

NOTE: I DID NOT FEEL SAFE. I had to remain calm in order to get home - I was really shaken by this experience and talked to Police myself.
 Any kind of ABUSE - verbal, physical etc. is unacceptable.

Kathleen Roberts
 Kathleen Roberts

Witness Signature:

Date signed:

Time:

Recording Officer's Signature:

Date completed:

Witness Name (print):

Witness Signature:

Jan 24 2018

Appendix "G"

To Whom It May Concern:

traveling from

My Son and I were

On December

24th

Chetler to Windsor

10:15 PM

2017

We got off the train around 10:15 PM

Went to get taxi. The driver called

you can come here. So we went over

and got in after we got in told

night I was snowing. After we got in taxi

told the driver snow Windsor taxi

300. I am going to charge here

He said on that I said why here was

400 ³20.00 after so I know fare was

taxi 'taxi' after so I know fare was

\$22 to \$4.00 depending on time I don't like

Why \$10.00. My comment was My Son and

all the snow you brought in paying they

I 'both said I can not get out of my

and he said 'well we got out and

of taxi NOW. so we got out

my son last comment was Welcome to

Canada it snows here. Tuesday 23 Jan
Windsor



January 4, 2018

REGISTERED MAIL

RFS 17-185721

Mr. Misbuhal Mishu Kabir
609 St. Joseph Street
Windsor, ON N9C 3H3

Dear Mr. Kabir;

This office has received two complaints regarding your recent service as a Taxicab Driver. In accordance with policy and procedure, I have attempted to contact you on several occasions to request a meeting with you to discuss these matters. Unfortunately we have been unable to reach you and voicemail isn't available.

Therefore, you are requested to contact me within 48 hours of receiving this letter to arrange a meeting to discuss these allegations. Please contact me forthwith at the number listed below to arrange an appointment.

Sincerely,

Elizabeth Culmone, CMM

By-law Enforcement Officer
Policy, Gaming, Licensing, & By-Law Enforcement
519-255-6100 x6930
EC/

**THE CORPORATION OF THE CITY OF WINDSOR
OFFICE OF THE CITY CLERK
LICENSING DIVISION**

**MISSION STATEMENT:**

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

| | |
|--|---|
| Livelihood: Report # | Report Date: March 9, 2018 |
| Author's Name: Craig Robertson, Supervisor of Licensing | Date to Commission: March 28, 2018 |
| Author's Phone: 519 255-6100, Ext. 6869 | Classification #: |
| Author's E-mail: croberson@citywindsor.ca | |

To: Windsor Licensing Commission

Subject: Expired Application(s) for Business Licence

1. RECOMMENDATION: City Wide: Ward(s): _____

To the Commission for information.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

Various business licence application(s) are submitted to the Licensing Division annually for either the renewal of a licence or for a new business.

Section 3.20 of Business Licensing By-law 395-2004 states:

“3.20 Licence – application deemed expired

Any business licence application that has not received approvals from all municipal or provincial departments or agencies as the Licence Commissioner deems necessary within 60 days from the date of the filing of the application, because of the applicant's inability to comply with the requirements to become licensed, shall be deemed to have expired unless the application is referred to the Windsor Licensing Commission under section 3.28 of this by-law.”

And Section 11 of Part III – General Provisions of the Public Vehicle Licensing By-Law 137-2007 states:

“Any application which has not received approvals from all municipal or provincial departments or agencies as the Licence Commissioner deems necessary within sixty (60) days from the date of filing the application, shall be deemed to have expired because of the applicant's inability to comply with the requirements to become licenced, unless the application is referred to the

Licensing Commission for determination.

3. DISCUSSION:

An application(s) for a business licence was submitted by the following:

| <u>APPLICANT</u> | <u>LOCATION</u> | <u>LICENCE CATEGORY</u> | <u>DATE OF APPLICATION</u> |
|--|-------------------------------------|------------------------------------|----------------------------|
| 2179474 Ontario Limited o/a Revival Social Lounge | 300 Ouellette Avenue, Windsor | Entertainment Lounge | April 25, 2017 |
| Fogolar Furlan Club of Windsor | 1800 North Service Road, Windsor | Public Hall | May 12, 2017 |
| Fogolar Furlan Club of Windsor | 1800 North Service Road, Windsor | Hospitality Food/Liquor Service | April 7, 2017 |
| Gabrielle Bleyendaal o/a Wizards of Walkerville | 1295 Ottawa Street, Windsor | Hospitality Food/Liquor Service | October 10, 2017 |

The above mentioned applications have been pending for more than 60 days, and the applicant has not complied with the requirements of Business Licensing By-law 395-2004 and/or Public Vehicle Licensing By-Law 137-2007.

A letter has been sent to the above applicant(s) advising that their application has expired and is no longer valid.

4. RISK ANALYSIS:

N/A

5. FINANCIAL MATTERS:

N/A

6. CONSULTATIONS:

N/A

7. CONCLUSION:

The application(s) listed above shall be deemed to have expired.



Craig Robertson
Supervisor of Licensing & Deputy Licence
Commissioner

APPENDICES:

DEPARTMENTS/OTHERS CONSULTED:

Name:

| NOTIFICATION : | | | | |
|-----------------------|---------|---------------|-----------|-----|
| Name | Address | Email Address | Telephone | FAX |
| | | | | |