



**LICENSE APPEAL COMMITTEE
MINUTES
January 18, 2023**

PRESENT: Mark Everett, Chair
Carine O'Brien
Julien Matte

REGRETS: Ryan Baxter

STAFF: Tanya Snair, Supervisor, Licensing and Ticket Administrator
Karen MacDonald, Senior Solicitor
Krista Vining, Acting Deputy Clerk

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

The meeting was called to order at 4:30 p.m. and the Committee adjourned at 5:33 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 4:30 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. APPROVAL OF MINUTES – July 20, 2022

A typographical error was noted on page 3, Item 9.1.

MOVED by Carine O'Brien, seconded by Julien Matte

THAT the minutes of July 20, 2022 be approved as amended.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Additions: None

Deletions: None

MOVED by Julien Matte, seconded by Carine O'Brien

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

6. CONSIDERATION OF DEFERRED BUSINESS – NONE

7. CORRESPONDENCE, PETITIONS & DELEGATIONS

7.1 Correspondence

Correspondence was received and circulated for item 9.1.1.

For a detailed list of correspondence received refer to the specific agenda item.

7.2 Petitions – None

7.3 Presentation – None

8. INFORMATION ITEMS BROUGHT FORWARD – NONE

9. REPORTS

9.1 TAXI, LIMOUSINE & TRANSPORTATION NETWORK COMPANY LICENSING APPEALS

9.1.1 Refusal of Reinstatement of Taxi Driver License #D699

The following was before the Committee:

- Staff report dated January 12, 2023
- Correspondence from Pavel Boubnov

The Chair confirmed the appellant, and their representative were in attendance.

Lois Beaton McNamara, License Administrator presented the refusal of reinstatement of taxi driver license #D699 and responded to questions of clarification from the Committee and the appellant's representative.

Beaton MacNamara advised that staff reviewed the appellant's application which included a Criminal Records Check Report and Drivers Abstract, and made their decision to refuse reinstatement of Taxi Driver License #D699 based on the criminal charge and two suspensions, of which the Licensing Authority was not notified, in accordance with sections 44.1 (e), (f) and (g) of By-law T-100, *Respecting the Regulations of Taxis, Accessible Taxis, Limousines and Transportation Network Companies*.

Karen MacDonald, Senior Solicitor provided an overview of the appellant's right to appeal in accordance with section 48.0 of the by-law, and the Committee's options to allow the appeal and reinstate the license or deny the appeal and uphold the decision of the Licensing Authority.

Andrea MacDonald, Acting Director, Compliance and Tanya Snair, Supervisor of Regional Licensing spoke to other considering factors under section 44.1 (g) as to whether the driver was fit to operate a taxi, accessible taxi, or limousine, based on the charge of impairment, operating a vehicle with passengers, and the safety of passengers, the taxi industry, and liability of the driver.

Beaton MacNamara confirmed the appellant was initially licensed to drive a taxi in July 2004.

Pavel Boubnov, Solicitor for Alexander Sarukhanov, Appellant presented their appeal, speaking to the appellant's history of driving a taxi, their employment with Bob's Taxi and written support from their employer, and show of support through attendance at the meeting. Boubnov spoke to event that led to the charge and subsequent conviction. Boubnov noted the appellant was operating their personal vehicle and was not working at the time and did not have any passengers. Boubnov and Sarukhanov responded to questions of clarification from the Committee, clarifying that the two suspensions were related to the one charge and conviction. Additional clarity was provided around the appellant health, willingness to work, and inability to earn income due to the suspension of their taxi driver license.

MOVED by Julien Matte, seconded by Carine O'Brien

THAT the License Appeal Committee allow the appeal.

Krista Vining, Acting Deputy Clerk responded to a question of clarification from the Committee.

MOTION PUT AND PASSED.

Decision of the Licensing Authority overturned.

9.2 STAFF REPORTS

9.2.1 License Appeal Committee Proposed 2023 Meeting Schedule

The following was before the Committee:

- Proposed 2023 License Appeal Committee Meeting Schedule

MOVED by Julien Matte, seconded by Carine O'Brien

THAT the License Appeal Committee approval their proposed 2023 Meeting Schedule as presented.

MOTION PUT AND PASSED.

10. ADDED ITEMS – NONE

11. IN CAMERA (IN PRIVATE) – NONE

12. DATE OF NEXT MEETING – March 22, 2023

13. ADJOURNMENT

The meeting adjourned at 5:33 p.m.

Krista Vining
Acting Deputy Clerk