DISCLAIMER: In accordance with the *Community Safety and Policing Act* and the *Freedom of Information and Protection of Privacy Act*, the summary below has been de-identified to remove the personal information of individuals, including public complainants and persons who were the subject of the investigation.

DE-IDENTIFIED SUMMARY UNDER SECTION 167(2) OF THE CSPA

Original Police Service: Date of Complaint: 02/11/2025

Type of Investigation:

Referred to Same Service: ◉ Referred to Other Service: ○ Retained by LECA: ○

Service Investigations Referred to:

De-identified Summary of Complaint

On August 11, 2024, the complainant called police to her residence to advise that while her and her father were out, the landlord had changed the locks and posted a letter stating they were not allowed to enter the house. The complainant wanted to know why police did not warn her previously.

Officers who attended arranged with the landlord for the complainant and her father to enter the residence so that they could retrieve personal belongings. While inside, the complainant noted that the locks to their rooms were broken. Further to that, the complainant believed the officers were rude as they rolled their eyes at her and one officer mocked her by saying "you can certainly sue the landlord, but it would cost a lot of money".

On August 14, 2024, the complainant returned with her father to retrieve the rest of her belongings and determined that various documents and an old cellphone were stolen.

The complainant believed that police acted as accomplices with the landlord to set a trap so that he could gain control of her property. Further to that, the officers did not take any actions to protect their personal property, and they acted in a rude manner.

Unsubstantiated Code of Conduct Allegations

Community Safety and Policing Act, 2019

Allegation 1 - Performance of Duties - Section 19
A police officer shall no, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.

Allegation 2 - Interactions with Public - Section 10(1)

Decision and Reasons

Allegation 1 - Performance of Duties - Section 19

This investigation determined that the officers correctly treated this incident as a Landlord Tenant Dispute. It was rightly determined that the complainant and her father were considered boarders, and as such, the Residential Tenancies Act, 2006, did not apply. This was due to the fact that the complainant and her father had a verbal rental agreement whereby they would live with the owner and share a kitchen and bathroom. Therefore, the officers along with the complainant, did not have any right to enter the residence without the owners permission. When he allowed permission for the complainant and her father to gather personal belongings, he was considered the owner of the property, the rooms, doors, and locks within. Therefore, the officers had no obligation to investigate the broken locks as they were there to keep the peace for a civil matter and there was no evidence to suggest any theft had taken place at this time.

Allegation 2 - Interactions with Public - Section 10(1)

The complainant believed the officers were one-sided with their approach, had rolled their eyes and an officer made a mocking comment. As determined, the landlord had the right to allow or refuse entry. The officers on-scene helped mediate an arrangement to allow the complainant and her father to enter and retrieve personal belongings, and to then re-attend on August 14, 2024 to gather the rest of their belongings. This approach was determined to have assisted both parties and was not one-sided.

Regarding the comment and actions, the officers refuted this allegation in their duty to report. The investigation determined there was no way to determine tone, whether the words were remembered in verbatim, and context of the comment. Thus, this allegation was unsubstantiated due to the lack of independent evidence.

Allegation 3 - Interactions with Public - Section 10(1)