



Order F26-84

NEVIO CIMOLAI

Amy O'Connor
Adjudicator

October 05, 2026

CanLII Cite: 2026 BCIPC 106
Quicklaw Cite: [2026] B.C.I.P.C.D. No. 106

Summary: The Office of the Information and Privacy Commissioner (OIPC) initiated and conducted a proceeding to determine whether an individual's use of privacy legislation amounted to an abuse of process and, if it did, what remedy would be appropriate. An adjudicator determined that the individual had engaged in an abuse of process and placed restrictions on the individual's use of OIPC services to remedy the abuse of process.

Statutes Considered: *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c 165, ss. 2, 42(1), 43 and 56; *Personal Information Protection Act*, [SBC 2003], c 63, s. 36(1) and 37.

INTRODUCTION

[1] This order decides a proceeding that the Office of the Information and Privacy Commissioner (OIPC) initiated to determine whether the manner Nevio Cimolai (Individual) is using the *Freedom of Information and Protection of Privacy Act* (FIPPA) and the *Personal Information Protection Act* (PIPA) is an abuse of process.

[2] FIPPA gives individuals a right of access to records held by a public body. In the private sector, PIPA gives individuals a right of access to their personal information under the control of an organization. FIPPA and PIPA are governed by the OIPC, which provides independent oversight and enforcement of these access and privacy acts.

[3] There are many reasons an individual may have an open file with the OIPC. These include, but are not limited to, the following types of files that the Individual has had.

[4] Under FIPPA, an individual may request a review of a public body's response to an access request, including whether the public body properly withheld information under an exception to disclosure. An access applicant may also make a complaint that a public body: (1) did not respond to an access request; (2) did not respond to an access request within the time limit; (3) improperly extended a time limit; (4) did not conduct an adequate search for responsive records; (5) imposed fees in an improper manner; or (6) did not comply with a duty imposed by FIPPA.

[5] Similarly, under PIPA, an individual may request a review of an organization's response to a request for personal information, including whether the organization properly withheld information. An individual may also complain that an organization: (1) failed to respond to a request for personal information; (2) did not conduct an adequate search; or (3) did not comply with a duty imposed by PIPA.

[6] Outside of these individual-led processes, an individual may be a respondent in an OIPC file, including in a public body's application to disregard an access request under s. 43 of FIPPA or an organization's application to disregard a request for personal information under s. 37 of PIPA.

[7] A list of all files opened by the OIPC in relation to the Individual's PIPA and FIPPA matters (File List) shows there have been 317.¹ The OIPC has concluded 310 of those files (287 FIPPA and 23 PIPA) with varying outcomes.² He currently has seven files with the OIPC (Outstanding Files) involving the Provincial Health Services Authority (PHSA), the University of British Columbia (UBC), the Ministry of Health (MoH) and the Ministry of Finance (MoF).³

[8] The Individual's use of FIPPA, PIPA and OIPC processes led the OIPC to initiate a proceeding to consider whether his actions were an abuse of process. The OIPC issued a notice of inquiry (Notice), and the Outstanding Files were adjourned pending the outcome of this proceeding.⁴ The Notice appended the File List, examples that the OIPC identified as potentially indicating an abuse of process (Examples), and a table of contents regarding the Examples.

[9] As PHSA, UBC and the MoH and MoF (together, the Ministries) are involved in the Outstanding Files, they were provided with the Notice and invited to participate in this proceeding. All parties were invited to provide submissions not exceeding 20 pages in length and reply submissions not exceeding 10 pages

¹ OIPC file list dated February 3, 2026 [*File List*]. I did not include files from the *File List* marked "opened in error".

² For example, files may be adjudicated, mediated, withdrawn or cancelled.

³ MoF File INV-F-25-01399 and UBC File INV-F-25-02865 are at investigation, while PHSA Files INV-F-23-94318 & INV-F-24-95636, UBC Files INV-F-24-95917 & INV-F-24-98586 and MoH File INV-F-24-96614 are pending inquiry.

⁴ Letter from OIPC Legal Counsel dated February 3, 2026 [*Notice*].

in length. The Individual, PHSA, UBC and the Ministries all provided submissions.

Preliminary Matters

Case law provided after close of submissions

[10] After the close of submissions, the Ministries provided the OIPC's Registrar of Inquiries (Registrar) with a letter appending a BC Supreme Court (BCSC) case involving the Individual. The Ministries submit the case "provides further evidence of the [Individual's] established pattern of abusive conduct and demonstrates the complex web of interrelated proceedings he has created".⁵ I reviewed the correspondence and the BCSC case; however, I ultimately found it was unnecessary to consider. This is because I have focused my decision on the Individual's submissions and conduct in this current proceeding, in the context of his history with the OIPC. As such, and to avoid a delay, I did not request a sur-reply from the Individual.

Individual's arguments regarding the validity of this proceeding

[11] The Individual makes several arguments regarding the validity of this proceeding. While I acknowledge that the Individual vehemently contests the validity of this proceeding, he has previously made some of these same arguments to the OIPC without success. These include the following:

- the Individual submits that this abuse of process proceeding is not permitted under ss. 42(1) or 56(1) of FIPPA, but the Commissioner's authority to conduct such a proceeding was addressed in Order F23-23, a decision involving the Individual that was subsequently upheld by the BCSC;⁶
- the Individual submits that the right to access one's personal information is part of the right to life, liberty and security of the person under s. 7 of the *Canadian Charter of Rights and Freedoms (Charter)*, an argument that was rejected in Order F24-24;⁷ and
- the Individual takes issue with the Ministries' submissions not identifying a specific lawyer as the author of its submissions, an approach that was previously explained and approved in Order F24-29.⁸

[12] The Individual repeats these previously rejected arguments without

⁵ Letter from the Ministries dated August 13, 2026.

⁶ Order F23-23, [2023 BCIPC 27](#), paras 23-35, upheld in *Cimolai v British Columbia (Information and Privacy Commissioner)* [Cimolai], [2024 BCSC 948](#).

⁷ Order F24-24, [2024 BCIPC 31](#), paras 42-44.

⁸ Order F24-29, [2024 BCIPC 36](#), paras 28-29.

addressing the Orders in which they were rejected or the reasons cited therein. I agree with the decision-maker's reasoning in each case, and I do not see how the Individual's arguments here are any different. As such, I decline to consider them any further.

[13] Moreover, the BCSC has consistently held that the Commissioner may initiate an abuse of process proceeding such as this.⁹ I therefore reject the Individual's overarching arguments that the OIPC has acted improperly, with malice or in a procedurally unfair or unconstitutional manner by initiating this proceeding.

[14] The remainder of the Individual's arguments can be broadly categorized as issues with: (1) procedural fairness generally; (2) bias and conflict of interest; (3) the participation of third parties; (4) the File List; and (5) the Examples. I will address each of these in turn before turning to the merits of this proceeding.

1. Procedural fairness generally

[15] Procedural fairness requires that an affected person have an opportunity to present their case fully and fairly, and have decisions affecting them made using a fair, impartial and open process appropriate to the statutory, institutional and social context of the decision.¹⁰ Although he does not explicitly characterize them as such, the Individual makes several arguments that I understand are related to procedural fairness.

[16] The Individual submits, that in the Notice, the OIPC's lawyer (Legal Counsel) "indicates that there is no defined process, no defined rule of order, no set criteria, and no burden of proof required", yet "he predetermines length of submissions to short order and sets short timelines for submissions and reply submissions without consultation or consent".¹¹

[17] I agree with what was said in the Notice, namely that there are no statutorily required or defined processes or rules of order for OIPC inquiries. There are also no set criteria for determining an abuse of process, and all relevant circumstances are to be considered including the totality of the history between the parties.¹² Further, it is well-established that there is no formal

⁹ *Cimolai*, *supra* note 6; also see Decision F25-03, [2025 BCIPC 70](#) [Ooms], paras 10-15, cited with approval in *Pyne v British Columbia (Information and Privacy Commissioner)*, [2026 BCSC 677](#) [Pyne], paras 41-42.

¹⁰ *Baker v Canada (Minister of Citizenship and Immigration)*, [1999 CanLII 699 \(SCC\)](#), para 28.

¹¹ Individual's letter to the Commissioner dated March 2, 2026 [*March 2nd Letter*], page 2.

¹² *Ooms*, *supra* note 9; Decision F25-04, [2025 BCIPC 78](#) [Gunn]; Order F25-43, [2025 BCIPC 51](#), upheld in *Pyne*, *supra* note 9. I note the Individual argues that Order F25-43 was incorrect because a finding that neither party had the burden of proof (para 18) was in conflict with a finding that the applicant did not meet the high burden of proof to establish that there was a reasonable apprehension of bias (para 28); however, these are two distinct burdens of proof.

burden of proof in an OIPC initiated abuse of process proceeding such as this.¹³

[18] The OIPC has a broad power to control its own processes and procedures, including the length and timeline of submissions, subject only to the requirement of procedural fairness.¹⁴ The OIPC does not consult with or seek consent from the parties when it sets a page limit or timeline for submissions; however, these may be adjusted as necessary to ensure procedural fairness.

[19] In this case, the Individual has not explained how the timeline for submissions or the page limit has prejudiced him. There is no evidence before me that the Individual requested an adjournment, and he has not explained how the timeline for submissions impacted his ability to present his case fully and fairly. Further, while it is certainly conceivable that too narrow a page limit could impact a person's ability to present their case fully and fairly, I find that is not the case here since the Individual did not adhere to the page limit. His initial submissions totalled 340 pages and his reply 59 pages.¹⁵

[20] I considered whether the length of the Individual's submissions prejudiced any party or made it otherwise unfair to consider his submissions. I concluded there was prejudice to the other parties because the length of his submissions increased the burden for response and consumed additional time and resources. Despite this, I decided it was in the interests of fairness and completeness to consider the Individual's submissions in their entirety because this proceeding may result in restrictions being imposed on his ability to use OIPC services, and his conduct is highly relevant to that determination. I therefore read and considered everything submitted by the parties.

[21] The Individual complains that the OIPC adjourned the Outstanding Files pending the outcome of this proceeding, saying it is "inconsistent with administrative propriety" and "considerably inappropriate".¹⁶ He does not explain why except to reiterate his contempt for Legal Counsel and this proceeding in general. In my view, it is a sensible and more efficient use of everyone's time and resources to adjourn files that may be impacted. I considered whether adjournment of the Outstanding Files prejudiced the Individual but ultimately determined it did not. I also note the same process was followed in Orders F23-23 and F24-24 before the Individual's files were cancelled. In sum, I disagree that it was unfair to adjourn the Outstanding Files.

[22] The individual objects to the OIPC's use of two file numbers for this

¹³ Order F25-43, *ibid*, paras 16-18.

¹⁴ *Pyne*, *supra* note 9, para 59.

¹⁵ Although the Ministries' reply submissions appear to be over the page limit at 16 pages, the MoH and MoF were each permitted reply submissions up to 10 pages, so they are within their allotted 20 pages.

¹⁶ *March 2nd Letter*, page 8.

proceeding: GEN-F26-0098 and ADJ-26-00037. For clarity, all files that are handled by the OIPC's inquiry division are given an ADJ file number. Before an ADJ file can be created in the OIPC's electronic case management system, there must first be an underlying general (GEN) or investigation (INV) file. As such, the OIPC opened GEN-F26-0098 in relation to this matter and then immediately created ADJ-26-00037. I note that GEN-F26-0098 was not included on the File List because it was initiated by the OIPC, not the Individual. I find that the use of two file numbers was an administrative requirement that has no material impact on the current proceeding.

[23] Lastly, the Individual says he raised many of these issues in a letter to the Commissioner, and no reasonable response was provided to that letter or the Individual's follow up letters.¹⁷ I can see that, in response, the OIPC instructed the Individual to direct his procedural questions to the Registrar rather than the Commissioner.¹⁸ Legal Counsel also responded to the Individual's communications, confirming that staff have the authority to conduct this proceeding and the Commissioner was not personally involved.¹⁹ I can see from the correspondence that many of the Individual's concerns have been expressed on multiple occasions in his materials in this proceeding.²⁰ I therefore find the Individual was provided an adequate opportunity to present his case fully and fairly, as required.

[24] In conclusion, I am not persuaded that any of the above circumstances establish a breach of procedural fairness or otherwise impact the validity of this proceeding.

2. Bias and conflict of interest

[25] The Individual says the following people and public bodies involved in this proceeding are biased and in a conflict of interest: Legal Counsel, a lawyer representing UBC (UBC Lawyer), a lawyer representing the Ministries (MAG Lawyer), the Ministries, the OIPC and the provincial government.

[26] The Individual also asked for my identity as adjudicator, stating the "identification of any person(s) performing such an adjudicative function is imperative on a preliminary basis since there may be reason to consider bias or conflict of interest".²¹ The Registrar advised him that I had been assigned to adjudicate this matter.²²

¹⁷ The Individual first wrote to the Commissioner on February 4, 2026. He followed up on February 11, 2026 and February 19, 2026.

¹⁸ Letter from the OIPC dated February 23, 2026.

¹⁹ Letter from the OIPC dated March 6, 2026 [*March 6th Letter*].

²⁰ The Individual appends all of his February letters to his submissions.

²¹ Letter to the Commissioner dated March 30, 2026 [*March 30th Letter*], page 6.

²² Email from the Registrar dated September 21, 2026.

[27] I will not repeat the law on bias and conflict of interest here in any great detail, given it has been set out in multiple OIPC Orders involving the Individual.²³ In short, the question is whether a reasonable and informed person would conclude there is any reasonable apprehension of bias or conflict of interest.

[28] The Individual's allegations regarding bias and conflict of interest are discussed in more detail below under the heading *Unfounded and unrelated allegations of wrongdoing*. I find the Individual has failed to displace the strong presumption of impartiality, as he has provided no evidence of bias or conflict of interest beyond his bald assertions. In my view, therefore, a reasonable and informed person would not conclude there is any reasonable apprehension of bias or conflict of interest.

[29] The Individual also submits the Notice demonstrates bias by referring to this as an abuse of process proceeding. I disagree. Abuse of process is a commonly used term that aptly describes the nature of this proceeding, given the primary issue is whether the Individual's use of OIPC processes is an abuse of process.

[30] In conclusion, I am not persuaded that there is any bias or conflict of interest that has affected the Individual's right to a fair, impartial and open process.

3. Third party participation

[31] The Individual submits the "invitation of four public bodies and inherently the [Ministry of Attorney General] is selective, onerous, and largely abusive".²⁴ He says UBC should not have been invited to participate, given its recent conduct, and PHSA is guilty of destroying evidence, which both raise potential criminal offences. He also says that other third parties "are required and indeed mandated in the way of natural justice and administrative propriety let alone constitutional questions".²⁵ The Individual says that, by copying additional parties on a letter to the Commissioner, he was requesting their participation in this proceeding and notifying them of potential criminal offences.²⁶

[32] The Individual seems to primarily contest PHSA, UBC and the Ministries' participation in this proceeding due to the various wrongdoings he alleges, discussed in more detail below under the heading *Unfounded and unrelated allegations of wrongdoing*.

²³ Order F23-23, *supra* note 6, paras 5-6; Order F24-24, *supra* note 7, paras 16-21; Order F24-29, *supra* note 8, paras 5-7.

²⁴ *March 2nd Letter*, page 19 (at Appendix 2).

²⁵ *March 2nd Letter*, page 16.

²⁶ Letter from the Individual dated February 4, 2026.

[33] As set out above and in the Notice, there are no defined rules of procedure for an abuse of process proceeding such as this, and the OIPC has the ability to control its own processes and procedures. Conversely, where an inquiry stems from a request for review, the OIPC is required to provide notice and the opportunity to make representations during inquiry to any third parties that the Commissioner or his delegates consider appropriate.²⁷ This is reflected in the OIPC's *Instructions for Written Inquiries (Instructions)*, which provide that any person the Commissioner considers appropriate will be given an opportunity to make representations during an inquiry.

[34] The inclusion of third parties may also be viewed as akin to the role of interveners appearing in court, where any person interested in a proceeding may apply for intervener status by demonstrating that they have an interest in the proceeding and will make submissions that are useful and different from the other parties' submissions.²⁸ A court then has wide discretion, pursuant to its inherent jurisdiction, to approve or reject an intervener application.²⁹

[35] In this case, given they are each party to one or more of the Outstanding Files that could be impacted by the results of this proceeding, I find it was reasonable and appropriate to invite PHSA, UBC and the Ministries to participate.

[36] With respect to additional parties, the Individual does not explain why they should have been invited aside from his general references to natural justice, administrative propriety and constitutional questions. He does not explain these issues any further, nor does he explain how the inclusion of additional parties would overcome them. I do not see how the inclusion of additional parties would meaningfully contribute to the determination of the issues to be decided. Furthermore, there is no evidence before me that any of those parties requested to participate in this proceeding after the Individual copied them on his correspondence.

[37] In conclusion, I am not persuaded that the OIPC erred by inviting PHSA, UBC and the Ministries to participate. I am also not persuaded that the OIPC was required to invite additional parties to participate.

4. File List

[38] The File List sets out the file number, relevant public body or organization, closure outcome, file type and status for each file. The Individual submits the File List is deceptively portrayed, without explanation for how the OIPC or public bodies may have been responsible for creating multiple files for single original

²⁷ FIPPA, ss. 54(b) & 56(3); PIPA, ss. 48 & 50(3).

²⁸ See, for example, Rules of the Supreme Court of Canada, [SOR/2002-156](#), s. 57(2).

²⁹ *Can Labour Congress v Bhindi*, [1985 CanLII 384 BCCA](#), paras 33-34 & 36.

requests. While I agree that multiple files may stem from a single access request, I find this is accurately reflected in the File List. As such, I do not agree that the File List is deceptive in any manner.

[39] The Individual says the File List was created and disseminated broadly, when some of the parties have no nexus to many of the Individual files. As set out above, the totality of the history between the parties may be considered in an abuse of process inquiry.³⁰ Accordingly, and given my findings above regarding UBC, PHSA and the Ministries' participation in this proceeding, I find the inclusion of the File List with the Notice was similarly reasonable and appropriate.

[40] In conclusion, I am not persuaded that there is a procedural fairness issue with respect to the File List.

5. Examples

[41] The Examples consist of various letters, emails and submissions from 13 files involving the Individual, dated from April 18, 2020 to January 26, 2026. The Individual submits that the Examples are not relevant to the issues to be determined. He also says they are disingenuous, as they were chosen by Legal Counsel without providing the whole context. While the Individual broadly asserts the Examples are not relevant, he does not explain why. In my view, examples from the Individual's files that have been identified by the OIPC as potentially indicating an abuse of process are wholly relevant to this proceeding, given the totality of the history between parties may be considered in an abuse of process inquiry.³¹ Moreover, the Examples likely aided the parties in focusing their submissions by identifying types of conduct they may wish to address. In my view, this would primarily benefit the Individual, who is the only party not represented by a lawyer.

[42] The Individual says the Examples are biased because there are no examples of the public bodies' behaviours. I disagree, and I do not see how the behaviour of any third party is relevant to this proceeding, the sole focus of which is to determine whether the Individual has engaged in an abuse of process. The Notice explicitly provides that the scope of this proceeding is limited to the procedural behaviour of the Individual. Regardless, the Individual was able to provide examples of any such behaviour that he believed to be relevant and missing from the record, which he certainly did.

[43] The Individual observes that some of the Examples are from previously decided files, despite the Notice stating this proceeding is not a review of previously decided files. I confirm that the purpose of reviewing the Examples is to understand the Individual's conduct and the context of this proceeding. I am

³⁰ Order F25-43, *supra* note 12, para 38; *Pyne*, *supra* note 9, paras 20 & 78.

³¹ *Ibid.*

not deciding if previous files were correctly or reasonably decided, as that is in the BCSC's jurisdiction.

[44] The Individual also contests the Examples because the OIPC has previously indicated it will not release information from previous files.³² While the OIPC is a public body subject to the access requirements set out in FIPPA, s. 3(3)(f) of FIPPA provides that operational records are exempt.³³ Thus, while the OIPC is not obligated to release operational records in response to an access request, it may do so at its discretion. This does not mean the OIPC's ability to withhold operational records in the future has been waived, as the Individual suggests.

[45] In conclusion, I am not persuaded that there are any procedural fairness issues in relation to the OIPC including the Examples with the Notice. Regardless, I note that, apart from those relating to the Outstanding Files, I did not rely on the Examples in making my decision.

[46] I will now turn to the merits of this proceeding regarding abuse of process.

ISSUES AND BURDEN OF PROOF

[47] The issues to be decided are as follows:

1. Is the Individual's use of FIPPA, PIPA and OIPC processes an abuse of process?
2. If the Individual has abused these processes, what remedy, if any, is appropriate?

[48] An abuse of process proceeding is inquisitorial in nature, and there is no formal burden of proof.³⁴ Accordingly, rather than proving an abuse of process, my role is to consider this issue as part of the proper administration of FIPPA and PIPA.³⁵

[49] As the Commissioner provides independent oversight of FIPPA and PIPA, I will consider FIPPA, PIPA and OIPC processes collectively and hereafter refer to them simply as "OIPC processes".

DISCUSSION

Background

³² Individual's Enclosures G & H.

³³ Schedule 2 of FIPPA designates the OIPC as a public body.

³⁴ Order F25-43, *supra* note 12, paras 16-18.

³⁵ *Ibid.*

[50] The Individual is a former employee of BC Children’s Hospital and UBC. There is a long history of litigation between the Individual and various public bodies in relation to these former employments.

[51] The Individual’s engagement with the OIPC began in 2002, and files have been opened in most years as follows:

- 2002 – 8 FIPPA files;
- 2003 – 40 FIPPA files;
- 2004 – 32 FIPPA files and 10 PIPA files;
- 2005 – 12 FIPPA files and 3 PIPA files;
- 2006 – 1 FIPPA file and 1 PIPA file;
- 2007 – 3 FIPPA files;
- 2009 – 4 FIPPA files;
- 2010 – 1 FIPPA file;
- 2011 – 3 FIPPA files and 1 PIPA file;
- 2017 – 5 FIPPA files;
- 2018 – 3 FIPPA files;
- 2019 – 22 FIPPA files;
- 2020 – 56 FIPPA files and 2 PIPA files;
- 2021 – 42 FIPPA files and 6 PIPA files;
- 2022 – 26 FIPPA files;
- 2023 – 17 FIPPA files;
- 2024 – 8 FIPPA files; and
- 2025 – 11 FIPPA files.³⁶

[52] The Individual’s access to OIPC services has been cut off on two prior occasions, as reflected in the File List, as follows:

- in Order F23-23, the Director of Adjudication (Director) found that the Individual was abusing FIPPA’s review and inquiry processes and cancelled 10 of his files at inquiry and 12 at investigation and mediation involving the Ministry of Attorney General (MAG) and the Ministries;³⁷ and
- in Order F24-24, an adjudicator found that the Individual was abusing FIPPA’s processes and ordered four of his files involving the College of Physicians and Surgeons of British Columbia to be closed.³⁸

[53] Order F23-23 was the subject of judicial review in *Cimolai v British Columbia (Information and Privacy Commissioner)*, where the BCSC upheld the Director’s decision and found it to be reasonable and “justified in light of the

³⁶ *File List*, *supra* note 1.

³⁷ Order F23-23, *supra* note 6.

³⁸ Order F24-24, *supra* note 7.

relevant facts and law”.³⁹

[54] In addition, and also reflected in the File List, the OIPC has permitted public bodies and organizations to disregard the Individual’s requests under s. 43 of FIPPA and s. 37 of PIPA as follows:

- in Decision P05-01, former Commissioner Loukidelis permitted a law firm to disregard the Individual’s access request after finding it was vexatious;⁴⁰
- in Decision F10-09, an adjudicator found the Individual’s “persistent requests for solicitor-client communications to be both frivolous and vexatious” and authorized PHSA and the Children’s & Women’s Health Centre of British Columbia to disregard those portions of the request as well as any future requests for the same type of records for a period of two years;⁴¹
- in Order F21-04, the Director authorized the MoH and the Medical Services Commission to disregard 16 of the Individual’s access requests, after finding they were repetitious, systematic and responding to them would unreasonably interfere with the public bodies’ operations and authorized the MoH and the Medical Services Commission to disregard any future requests from the Individual beyond one at a time for a period of five years;⁴²
- in Order F23-61, an adjudicator authorized the MAG to disregard the Individual’s access request after finding it was vexatious, systematic and responding to it would unreasonably interfere with the MAG’s operations and authorized the MAG to disregard any future requests from the Individual beyond one at a time for a period of five years;⁴³ and
- in Order F24-29, an adjudicator found that the MAG was authorized to disregard part of the Individual’s access request in accordance with Order F23-61 as well as the remaining portion after finding it was vexatious and authorized the MAG to disregard any access requests from the Individual for his personal information for a period of two years.⁴⁴

Abuse of Process

[55] The Commissioner is responsible for monitoring how FIPPA and PIPA are administered to ensure that the purposes of those acts are achieved.⁴⁵ In line

³⁹ *Cimolai*, *supra* note 6, para 91.

⁴⁰ Decision P05-01, [\[2005\] BCIPCD No 23](#).

⁴¹ Decision F10-09, [2010 BCIPC 47](#), para 40.

⁴² Order F21-04, [2021 BCIPC 04](#).

⁴³ Order F23-61, [2023 BCIPC 71](#).

⁴⁴ Order F24-29, *supra* note 8.

⁴⁵ FIPPA, s. 42(1); PIPA, s. 36(1).

with this, the Commissioner has a broad discretionary power to control OIPC processes, and in doing so may apply the doctrine of abuse of process.⁴⁶ Under this doctrine, which the Supreme Court of Canada has described as flexible and “unencumbered by specific requirements”, proceedings that are inconsistent with the objectives of public policy may be barred.⁴⁷

[56] Past OIPC Orders have held that an applicant’s excessive or unreasonable use of limited OIPC resources constitutes interference with the proper administration of FIPPA, as it negatively impacts the OIPC’s ability to provide fair and timely service to both that Individual and other members of the public.⁴⁸

Public bodies’ submissions, abuse of process

[57] PHSA submits that the Individual has made an unprecedented number of access requests over the years, which has caused it to expend a significant amount of its available staff time and resources, including significant legal costs related to OIPC inquiries.⁴⁹ PHSA says that the Individual’s conduct has increased the difficulty of working with him, including that he: makes false accusations of wrongful conduct, perjury or intentionally withholding or falsifying records; maligns PHSA employees and lawyers, uses the inquiry process to embarrass PHSA or damage its reputation; and, tries to reargue or relitigate matters related to his past employment issues. PHSA says the Examples are evidence that the Individual’s conduct has not changed since Orders F23-23 and F24-24 were issued.

[58] UBC says that, since 2020, it has: collected, reviewed or processed approximately 38,000 pages of records spanning approximately 40 years; exchanged correspondence with the Individual approximately 48 times; and, responded to nine complaints or requests for review. UBC submits that the Individual has imposed a substantial and disproportionate burden on its resources, and the impact of the Individual’s conduct constitutes an unreasonable and unfair use of public resources. UBC submits that the Examples demonstrate that the Individual is continuing to engage in the same behaviours that have already been declared abuses of process in Orders F23-23 and F24-24, including: using his access requests as a means to litigate past grievances or perceived wrongs; submitting overlapping and duplicative requests; and, weaponizing access requests to target or make allegations about others.

[59] The Ministries jointly submit that the Individual’s conduct demonstrates a

⁴⁶ *Pyne*, *supra* note 9.

⁴⁷ *Behn v Moulton Contracting Ltd*, [2013 SCC 26](#), paras 39-40.

⁴⁸ Order F25-43, *supra* note 12, paras 6 & 36-37.

⁴⁹ PHSA says it has been involved in 85 of the Individual’s OIPC files, and this is reflected in the *File List*, *supra* note 1.

consistent and concerted effort to abuse OIPC processes. The Ministries say that the Individual has a seemingly ceaseless pattern of improperly using OIPC processes in his underlying disputes with public bodies.⁵⁰ The Ministries say the Examples are evidence that the Individual continues to engage in abusive conduct in an unrelenting manner, including: advancing repetitive, unfounded and inflammatory arguments, even after the OIPC has declined to address similar arguments or rejected them outright; engaging in abusive, personalized and intimidating attacks on individuals involved in his underlying disputes; making unfounded and intemperate allegations of bias, illegality, incapacity, fraud, misrepresentation, conspiracy or tampering, including in circumstances where the OIPC has found such allegations to be unsubstantiated; and, excessively using FIPPA and OIPC processes.

Individual's submissions, abuse of process

[60] The Individual describes his submissions as “compendiums” with “accompanying corroborative information”.⁵¹ He provides these over three emails and 21 attachments, as follows:

- **“OIPCBC coco plat process 2026.docx”** is 55 pages, consisting of a letter to the Commissioner dated March 2, 2026, and 18 Appendices;
- **“OIPC scan coco plat A - E.pdf”** is 14 pages, consisting of Enclosures A to F;
- **“OIPC scan coco plat F - L.pdf”** is 13 pages, consisting of Enclosures F to L;⁵²
- **“OIPC scan coco plat M - S.pdf”** is 15 pages, consisting of Enclosures M to S;
- **“OIPC scan coco plat T - Y.pdf”** is 11 pages, consisting of Enclosures T to Y;
- **“OIPC scan coco plat Z - CC.pdf”** is 14 pages, consisting of Enclosures Z to CC;
- **“OIPC scan coco plat DD - FF.pdf”** is 12 pages, consisting of Enclosures DD to FF;
- **“OIPC scan coco plat App 4 A - C.pdf”** is 13 pages, consisting of Appendices 4(a) to 4(c);
- **“OIPC scan coco plat App 5 A - 6 C.pdf”** is 9 pages, consisting of Appendices 5(a) to 5(e) and 6(a) to 6(c);
- **“OIPC scan coco plat App 6 D - 7 D.pdf”** is 9 pages, consisting of Appendices 6(d) to 6(e) and 7(a) to 7(d);
- **“OIPC scan coco plat Ap 7 E - 7 Kii.pdf”** is 10 pages, consisting of Appendices 7(e) to 7(j), 7(k)(i) and 7(k)(ii);
- **“OIPC scan coco plat App 7 Li - 9 B.pdf”** is 9 pages, consisting of Appendices

⁵⁰ The Ministries cite the following as examples: Order F21-04, *supra* note 42, paras 75-76; Order F22-08, [2022 BCIPC 8](#), para 56; Order F23-23, *supra* note 6, paras 72 & 79; *Cimolai*, *supra* note 6, paras 90-91; Order F23-61, *supra* note 43, para 75; and Order F24-29, *supra* note 8, para 80.

⁵¹ Emails to the Registrar dated March 3, 2026 and March 10, 2026. For ease of reference, I will refer to the Individual's materials as submissions throughout this Order.

⁵² I note the Individual has labelled two separate enclosures as Enclosure F.

- 7(l)(i), 7(l)(ii), 7(l)(iii), 7(m), 7(n), 7(o), 9(a) and 9(b);
- **“OIPC scan coco plat App 18 A - L.pdf”** is 14 pages, consisting of Appendices 18(a) to 18(h), 18(h)(i), 18(h)(ii), and 18(i) to 18(l);
 - **“OIPC scan coco plat App 18 M - Qii.pdf”** is 9 pages, consisting of Appendices 18(m) to 18(o), 18(o)(i), 18(p), 18(q)(i) and 18(q)(ii);
 - **“OIPC scan coco plat App 18 Ri - Y.docx”** is 9 pages, consisting of Appendices 18(r)(i), 18(r)(ii), and 18(s) to 18(y);
 - **“OIPC scan coco plat App 18 Z - FFii.docx”** is 9 pages, consisting of Appendices 18(z), 18(aa), 18(bb)(i), 18(bb)(ii), 18(cc) to 18(ee), 18(ff)(i) and 18(ff)(ii);
 - **“OIPC scan coco plat App 18 FFiii - LLiii.docx”** is 10 pages, consisting of Appendices 18(ff)(iii), 18(gg) to 18(jj), 18(kk)(i), 18(kk)(ii), 18(ll)(i), 18(ll)(ii) and 18(ll)(iii);
 - **“OIPC scan coco plat App 18 MM - SS.pdf”** is 13 pages, consisting of Appendices 18(mm), 18(nn), 18(oo)(i), 18(oo)(ii), 18(oo)(iii), and 18(pp) to 18(ss);
 - **“OIPC scan coco plat App 18 TT - WW.pdf”** is 13 pages, consisting of Appendices 18(tt) to 18(ww);
 - **“OIPB scan coco plat App 18 XX - BBB.pdf”** is 18 pages, consisting of Appendices labelled 18 XX, 18 YY, 18 ZZ, 18 AAA and 18 BBB; and
 - **“OIPCBC F23 94318 and F24 95636 Inquiry File”** is 58 pages, consisting of a letter to the Commissioner dated August 21, 2025.

[61] The Individual devotes a significant portion of his submissions to challenging the validity of this proceeding. The remainder is largely regarding the wrongdoings of the public bodies involved in this proceeding, and others. Given the length of Individual’s submissions, I will not provide a complete summary here. I have read and considered everything the Individual says, however, and the analysis below will focus on the essence of his arguments.

[62] The Individual also addresses each of the Outstanding Files, arguing why each should proceed and not be cancelled. For example, the Individual says that several files relate to inappropriate redactions. He says one of the files illustrates “considerable abuse and treachery” and demonstrates “that there has been willful obstruction, failure to comply, and misleading actions” from PHSA.⁵³ He says another “represents a considerable abuse of process among those in the [MoH] but ultimately impugning those supporting the same”.⁵⁴

Public bodies’ reply submissions, abuse of process

[63] In reply, UBC submits the material filed by the Individual is largely irrelevant, unsubstantiated or speculative and should be disregarded. It says that the Individual’s submissions and supporting materials provide further evidence of

⁵³ *March 2nd Letter*, page 7, in reference to F24-95636.

⁵⁴ *Ibid*, in reference to F24-96614.

established types and categories of abuses of process, including from OIPC Orders involving the Individual, such as:

- challenging and attacking the OIPC and its adjudicators;
- raising previous Orders and matters already decided by the OIPC, that are not relevant to the issues at hand, and raising various parties' alleged misconduct with the intent to embarrass them or attack their credibility;
- using the inquiry process to air other past grievances;
- using his submissions to make unfounded and inflammatory accusations of dishonesty, suppression of information, destruction of evidence and misconduct by the public bodies rather than responding to concerns regarding his conduct;
- making unfounded and serious accusations and criticisms of all legal counsel participating in this proceeding; and
- attaching hundreds of pages of unnecessary and irrelevant materials causing all parties to expend time and resources in their review.

[64] UBC says the Individual's submissions do not address the central issue in this proceeding, being his own conduct and abuse of process, and are clear confirmation that he rejects the OIPC's former findings and fully intends to continue engaging in the same conduct.

[65] The Ministries submit that the Individual demonstrates his habitual practices in OIPC proceedings through his submissions, by including, for example, an inordinate amount of irrelevant material, a lengthy and complex stream of argument about how he has been wronged and bald accusations and disparaging attacks against numerous public servants. The Ministries say that the Individual's "ceaseless repetition of the same failing arguments and his continued inclusion of unfounded and serious accusations demonstrate that he is using FIPPA and the OIPC's processes for improper purposes".⁵⁵

[66] PHSA says it agrees with the replies submitted by UBC and the Ministries.

Individual's reply submissions, abuse of process

[67] The Individual provides his reply submissions in an email with five attachments, as follows:

- **"OIPCBC Harvey lett Mar 2026 overview second letter.docx"** is 33 pages, consisting of a letter to the Commissioner dated March 30, 2026 and Appendices 1 to 3;
- **"OIPCBC Harvey lett Mar 26 two scan 1.pdf"** is 9 pages, consisting of Enclosures

⁵⁵ Ministries' reply submissions, page 4.

- A to D;
- “OIPCBC Harvey lett Mar 26 two scan 2.pdf” is 7 pages, consisting of Enclosures E and F;
 - “OIPCBC Harvey lett Mar 26 two scan 3.pdf” is 9 pages, consisting of Enclosures G to N; and
 - “OIPCBC Harvey lett Mar 26 two scan 4.pdf” is 7 pages, consisting of Enclosures O to S.

[68] The Individual makes clear that he continues to reject the validity of this proceeding. He says that what “appear to be submissions” from the public bodies are “collectively abusive” and “considerably inappropriate in the vacuum of evidence and in the vacuum of knowledge of the background historical truths”.⁵⁶ The Individual says there is “pointedly a total lack” of affidavit evidence from the public bodies.⁵⁷

Analysis and findings, abuse of process

[69] For the reasons that follow, I find the Individual is abusing OIPC processes. I will discuss the following behaviours that I find to be present and indicative of an abuse of process: (1) making unfounded and unrelated allegations of wrongdoing; (2) failing to meaningfully address the issues at hand, while consistently deflecting any culpability; (3) repeatedly raising arguments that have previously been rejected; (4) including an excess of irrelevant and redundant materials; (5) berating and attacking others; and (6) failing to follow the OIPC’s instructions. In my view, these behaviours collectively demonstrate that the Individual is not using OIPC processes for their intended purpose or with a genuine desire to resolve the issues he has raised.

1. Unfounded and unrelated allegations of wrongdoing

[70] The Individual makes multiple and persistent allegations of wrongdoing against others, at both an individual and institutional level, that are unsubstantiated or not relevant to the issues to be determined.

a. OIPC

[71] The Individual alleges wrongdoing on the part of Legal Counsel, the Director and the OIPC generally.

[72] The Individual continually questions whether Legal Counsel is truly and validly representing the Commissioner. He appends Legal Counsel’s job profile and states, “it is apparent that he does not seem to have jurisdiction to [initiate this proceeding] on his own accord regardless of whether he may have done so

⁵⁶ March 30th Letter, page 1.

⁵⁷ *Ibid.*

previously”.⁵⁸ The Individual also submits that Legal Counsel had no authority to act as an adjudicator or delegate of the Commissioner when issuing Decisions F25-03 and F25-04. I disagree and find that Legal Counsel has not acted beyond his delegated authority.⁵⁹

[73] The Individual further submits that Legal Counsel demonstrated malice by revealing the applicant’s names in Decisions F25-03 and F25-04, which he says will impact the OIPC’s liability by inactivating any legislated protections. I am not persuaded that Legal Counsel erred or demonstrated malice by revealing the applicants’ names in Decisions F25-03 and F25-04. The reasons for doing so are clearly stated and, in my view, entirely reasonable. I also note that, while Decision F25-03 is pending judicial review, it was cited with approval by the BCSC in *Pyne v British Columbia (Information and Privacy Commissioner)*.⁶⁰

[74] Next, with respect to conflict of interest, the Individual says Legal Counsel’s “acting on his own accord but in tandem with the Ministries of Health and Finance raises issues”.⁶¹ He says there is a conflict of interest because the OIPC has its budget passed by the provincial government, it has its lawyers on government service contracts, and it requires its lawyers to “collectively ascribe to the Professional Employees Association”.⁶² He says, “funding can change on a dime, and there is more than a subliminal influence of Government bureaus on [the OIPC’s] behaviour”.⁶³ The Individual also says there is a conflict of interest because the Ministries are represented by the MAG, and the OIPC is under the administration of the Ministry of Citizens’ Services and the provincial government, which includes the Ministries and the MAG. He says this means that the Ministries and the OIPC are one government entity, and conflict is therefore inherent.

[75] The OIPC is one of nine independent offices of the Legislature. It has provided independent oversight and enforcement of BC’s access and privacy laws since its establishment in 1993. While it is true that the independent offices are accountable to and funded by the Legislative Assembly, they each have a legislated mandate and the authority to hire staff, including lawyers.⁶⁴ I am not persuaded that a reasonable and informed person would conclude there is any reasonable apprehension of bias or conflict of interest as a result of the provincial government’s structure.

[76] In relation to the Director, the Individual says that Order F21-04 “contained many falsifications” in which she “appears to have simply duplicated fallacious

⁵⁸ *March 2nd Letter*, page 2.

⁵⁹ See the Commissioner’s [Delegation of Powers, Duties and Functions](#) [*Delegation matrix*].

⁶⁰ *Pyne*, *supra* note 9, paras 41-42.

⁶¹ *March 2nd Letter*, page 2.

⁶² *Ibid.*

⁶³ *March 2nd Letter*, page 9.

⁶⁴ For the OIPC, see ss. 37, 41 & 42 of FIPPA.

comments or propositions made by public bodies”. I find this allegation to be unsubstantiated as the Individual provides no further explanation or evidence.

[77] The Individual also submits the Director misconstrued the OIPC’s role in prosecuting offences in a letter to the Individual.⁶⁵ The Director stated that the Commissioner is not responsible for charging or prosecuting alleged offences under FIPPA, and the OIPC’s role is instead to inform the MAG of any cases that may warrant prosecution. The Individual says this was misconstrued, as the OIPC has an onus to forward any offences to investigative authorities. The Individual provides no basis for his claim of an onus. I find the Director’s statement to be factual, and the Individual’s allegation to be unsubstantiated.

[78] The Individual repeatedly raises the offence provisions of FIPPA and submits the OIPC erred by failing to forward allegations of offences. For example, the Individual says it is not clear why the OIPC has not applied s. 65 of FIPPA to PHSA when it has repeatedly obstructed access to information. He submits Appendix 10 is evidence of PHSA’s obstruction; however, Appendix 10 merely consists of excerpts from previous OIPC Orders and Decisions where the OIPC found in favor of applicants. In my view, these previous findings are entirely routine and benign. I do not see how a previous finding that PHSA did not conduct an adequate search, for example, is evidence of wrongdoing now, on the part of PHSA or the OIPC. The Individual seems to suggest the OIPC is required to forward every contravention of FIPPA and PIPA for prosecution. In my view, such a requirement would be an absurdity, rendering the OIPC’s role and processes entirely moot. I therefore find this allegation to be unsubstantiated.

[79] The Individual also submits that offences should not be forwarded to the MAG in the normal course, but to an independent authority instead, as the MAG “would be in considerable conflict on these regards herein and longitudinally so”.⁶⁶ Even if the OIPC agreed that referral was necessary, it is not clear to me what further action the Individual is requesting given he has already notified the parties he identifies as relevant and appropriate.

[80] In conclusion, I find the Individual’s allegations of wrongdoing against the OIPC and its staff are unsubstantiated.

b. Public bodies

[81] The Individual says that the “[t]actics of the public bodies participating herein are repetitive, deliberate, targeted, and obstructive”.⁶⁷ He says this has been “historically recorded” in the jurisprudence and “is frankly indisputable”.⁶⁸

⁶⁵ Letter from the Director dated January 26, 2026.

⁶⁶ *March 2nd Letter*, page 13.

⁶⁷ *March 2nd Letter*, page 9.

⁶⁸ *Ibid.*

He includes Appendix 11 as evidence. Appendix 11, however, merely lists allegations of wrongdoing, such as intentionally concealing or falsifying documents, followed by a checkmark to indicate that the Individual believes PHSA, UBC, the Ministries and the MAG have demonstrated the alleged tactic. The Individual provides no evidence beyond his own assertions of wrongdoing.

[82] The Individual repeatedly raises UBC's "falsification of affidavits"⁶⁹ and PHSA's obstruction of information access and "spoliation of evidence".⁷⁰ The Individual says that PHSA has "blocked the ability to acquire relevant information longitudinally and vociferously".⁷¹ He includes Appendix 12 as evidence of such obstruction, listing and excerpting from former OIPC Orders involving PHSA. I find these prior Orders to be completely routine, benign and unrelated to the issues to be determined. The quotes provide, for example, that PHSA was previously found "not to have complied with its duties" in Order F04-25 and that its "request that an inquiry not be held was denied" in Order F15-28.

[83] The Individual similarly includes Appendix 13 to provide examples of what he says is UBC's historical obstruction, listing former OIPC Orders where UBC was ordered to release information and referencing Audit Report 25-03. He includes Appendices 14, 15 and 16 to demonstrate the "sheer abuse in a cumulative fashion" on the part of the Ministries and the MAG.⁷² In these Appendices, he again lists previous Orders and Decisions where the OIPC made findings in favour of applicants. As above, I do not see what relevance these have to the issues to be determined. The Individual seems to argue that the public bodies can never be viewed as credible, in any future proceedings or on any topic, as a result of these previous findings. I disagree and am not persuaded there is any evidence of wrongdoing on the part of the public bodies in relation to this proceeding or the Outstanding Files.

[84] The Individual makes further allegations of wrongdoing against PHSA and UBC that I find are wholly unrelated to the issues to be determined. Enclosure P consists of a 2024 letter from the Individual to UBC regarding the inactivation of his email account, which he says was unannounced, malicious and tactical. The Individual references a 2003 letter from PHSA, where it incorrectly stated that FIPPA did not apply to it, calling it a deliberate falsification and saying "[s]uch brazen attitude of the PHSA was early in the scheme of its horrific abuse as shown elsewhere herein".⁷³ The Individual notes that, in 2002, PHSA located a record that it had previously and mistakenly said could not be located. He says that, due to these "transgressions, it must be patently obvious as to the corporate

⁶⁹ In the *March 2nd Letter*, for example, see pages 4-5, 10, 14-15 & 19-21.

⁷⁰ *Ibid*, see pages 4, 6, 9, 14, 19-20 & 54.

⁷¹ *Ibid*, page 8.

⁷² *Ibid*, page 9.

⁷³ *Ibid*, page 6.

state of mind in regards to information access”.⁷⁴ It is quite a stretch, in my view, to suggest that mistakes from over 20 years ago are indicative of ongoing or present wrongdoing, and I find the sole purpose of these allegations is to impugn and discredit the public bodies.

[85] It is not clear to me what other relevance these allegations could have to the Individual's conduct, presently at issue in this proceeding. Although I recognize there may be instances where a public bodies' improper conduct will militate against a finding that someone is abusing OIPC processes, I find that is not the case here given my findings that all the Individual's allegations are unsubstantiated or wholly irrelevant.

c. Lawyers

[86] Lastly, the Individual makes unfounded allegations of wrongdoing about multiple lawyers involved, in addition to Legal Counsel, dedicating much of his reply to the Individual authors of the public bodies' submissions.

[87] In the Ministries' case, submissions were not signed by a specific author. The Individual clearly takes issue with this, referring to the “anonymous MAG representative” 44 times and the “mystery writer” 12 times in his reply submissions. Regardless, the MAG Lawyer is listed on the contact list which the Registrar sent to the Individual and the other parties at the start of this proceeding (Contact List). The Individual makes clear that he disputes the MAG Lawyer's involvement because she previously worked as an adjudicator at the OIPC. He says it is a guise that the OIPC is independent from the provincial government due to the MAG Lawyer's previous employment at the OIPC. He also submits the MAG Lawyer lobbied the OIPC, in breach of lobbying laws and the two-year prohibition on lobbying by former public office holders.⁷⁵ In support, he provides Enclosure Y which is a 2022 email from the MAG Lawyer to the OIPC requesting an adjournment on an unrelated file.

[88] The fact that a lawyer has switched their position or employer does not, on its own, establish a conflict of interest. The Individual has provided no further evidence or explanation to support this allegation. Additionally, I note that lawyers in BC have a professional and ethical duty to be free from conflicts of interest.⁷⁶ With this in mind, and given the lack of evidence, I find his allegation to be unsubstantiated. In relation to lobbying, I note that OIPC staff, including adjudicators, do not meet the statutory definition of “former public office holder”.⁷⁷

[89] Regardless, I do not see how Enclosure Y is evidence of lobbying or a conflict of interest. I similarly find this allegation to be unsubstantiated.

⁷⁴ *Ibid.*

⁷⁵ *Lobbyists Transparency Act*, [SBC 2001], c 42, s. 2.2.

⁷⁶ *Code of Professional Conduct for British Columbia*, chapter 3.4.

⁷⁷ *Lobbyists Transparency Act*, *supra* note 75, s. 1(1).

[90] The Individual accuses the UBC Lawyer of multiple “falsifications” and implies she is assisting UBC in illegal conduct, contrary to her professional and ethical duties as a lawyer.⁷⁸ There is no evidence before me to support these allegations, and I find they are unsubstantiated.

[91] The Individual also submits the UBC Lawyer is in a conflict of interest because another lawyer at her firm previously represented him. The Individual provides no evidence of a conflict of interest. Instead, he provides a letter he wrote to the UBC Lawyer’s managing partner setting out his concerns. In other words, he attempts to provide his previous allegations to support his current allegations. Again, given the lack of evidence and being mindful of lawyers’ duty to avoid conflict, I find the allegation is unsubstantiated.

[92] The Individual says that while PHSA’s submission does include the author’s name (PHSA Author), a “plain reading of that letter would impart the understanding that [he] was not the original writer”, as the “text was largely written and edited by internal PHSA legal counsel, if not outside legal counsel”.⁷⁹ The Individual says the PHSA Author “was swayed to be the author, but as the good person that he is, would not have been the true source of key aspects of the script” and “[g]iven what he has been influenced to sign and now knowing some considerable truth of the matters, he should be made fully aware that whistle-blowing for PHSA improprieties, including being coerced to make statements of which he is insecure, is available in the public domain or through his union counselling support”.⁸⁰ I find these allegations to be unsubstantiated and, in any event, not relevant to the issues to be determined.

[93] In conclusion, I find the Individual has made numerous allegations about the OIPC and its staff, the public bodies, and the lawyers involved in this proceeding that are unfounded or not relevant. In my view, these allegations may be harmful to the Individuals and institutions they target, and they certainly contribute to the unnecessary length of the Individual’s submissions. In either case, I find it indicates that the Individual does not have a genuine desire to use OIPC processes for their intended purposes.

2. Failing to address the issues & deflecting culpability

[94] Despite his submissions being hundreds of pages in length, the Individual addresses his own conduct, the subject of this proceeding, only minimally. Instead, the Individual consistently denies any culpability and deflects all blame to others.

⁷⁸ *March 30th Letter*, pages 14 & 16 (at Appendix 2).

⁷⁹ *Ibid*, page 1.

⁸⁰ *Ibid*.

[95] For example, PHSA, UBC and the Ministries each submit that the Individual's access requests overburden the system and require extra resources. Despite four separate public bodies making this claim, the Individual says:

- PHSA does not acknowledge the amount of staff time that they have allocated to the tactics for suppression of information;⁸¹
- [UBC's] need to entertain and pay external counsel, despite considerable in-house counsel for information access, is illustrative of the extent that the University will go to abuse;⁸²
- There is no logical or timely claim for [UBC] being under-resourced;⁸³
- If the public bodies simply provided the information due, many such activities [that overburden the system] would not occur. Furthermore, breaches, blocks, delays, improprieties generally, and other as manifest by public body actions or inactions have led to the prolongation and extraordinary activities;⁸⁴ and
- the genesis of an increasing number of files is at the behest of both the public body and the [OIPC]'s organizational approach to sever these into separate files after the original request.⁸⁵

[96] The Individual says that any request for relief merely demonstrates a need to suppress information. At no point does the Individual acknowledge how his conduct may have impacted others.

[97] I find the Individual has failed to address his own conduct, the subject of this proceeding, in any meaningful way, while consistently denying any wrongdoing and deflecting all blame to others. In my view, this further indicates that the Individual has neither a genuine desire to use OIPC processes for their intended purpose, nor any intention to improve his conduct.

3. Repeatedly raising arguments that have previously been rejected

[98] The Individual repeatedly raises arguments that have already been rejected, many of which are outlined above. These include his arguments regarding the validity of this proceeding, as well as his multiple and persistent unfounded allegations of wrongdoing against the OIPC, public bodies and lawyers involved in this proceeding. The Individual repeatedly raises the offence provisions of FIPPA, arguing the OIPC has erred by failing to forward allegations of offence, when it is clear from his materials that he has made the same argument on numerous occasions without success.⁸⁶

⁸¹ *Ibid*, page 12 (at Appendix 1).

⁸² *Ibid*, page 15 (at Appendix 2).

⁸³ *Ibid*.

⁸⁴ *Ibid*, page 31 (at Appendix 3).

⁸⁵ *Ibid*, page 12 (at Appendix 1).

⁸⁶ For example, see the Individual's Enclosures M & N.

[99] I find the repetition of such arguments that the Individual knows, or ought to know, will fail, significantly contributed to the length of his submissions and unnecessarily consumed the resources of all parties involved. I find this pattern demonstrates a refusal to accept the OIPC's decisions as well as a contempt for OIPC processes, both of which further indicate an abuse of process.

4. Excess of irrelevant and redundant materials

[100] The Individual includes hundreds of pages in his submissions that are irrelevant or redundant, despite there being a page limit on submissions. I find the following Appendices and Enclosures were unnecessary to include because they are not relevant to the issues to be determined in this proceeding:

- Enclosure I, consisting of the provincial public accounts of 2024/2025, which the Individual included to confirm Legal Counsel's identity;
- Appendix 1, consisting of excerpts from media articles and news releases regarding the OIPC and the Commissioner;
- Enclosure L, consisting of a 2025 letter from the Individual to the Commissioner dated February 6, 2025 regarding a previous file;
- Enclosure M, consisting of a 2025 letter from the Individual to the Commissioner regarding PHSA's "spoliation of evidence";
- Enclosure P, consisting of a 2024 letter from the Individual to UBC regarding inactivation of his email account;
- Enclosure Q, consisting of a 2011 letter from a lawyer representing PHSA to the OIPC;
- Enclosure R, consisting of a Notice of Discontinuance regarding a previous judicial review involving the Individual;
- Enclosures S and T, consisting of a 2003 letter from PHSA and an undated screenshot from PHSA's website, which the Individual included to show an error made by PHSA over 20 years ago;
- Enclosures U and V, consisting of a 2002 letter from PHSA to the Individual and an undated excerpt of a court proceeding transcript, which the Individual included to demonstrate a "transgression" by PHSA;
- Appendix 10, consisting of a list of previous OIPC Orders and Decisions involving PHSA, and excerpts from the same, which the Individual included to show "examples of historical obstruction for information access";
- Appendix 11, consisting of a list of "obstructive and willful delay tactics" the public bodies have allegedly demonstrated;
- Appendices 12 through 16, consisting of "examples of historical

- obstruction” of PHSA, UBC, the Ministries and the MAG;
- Appendix 17, consisting of example citations where the OIPC has considered *Charter* rights;
- Enclosure AA, consisting of a 2019 letter from the Attorney General to the Individual; and
- Enclosure FF, consisting of a 2025 letter from the Individual to the managing partner of the UBC Lawyer’s firm, alleging various conflicts of interest.

[101] Similarly, Appendix 18 consists of a detailed history of the Individual’s many past and ongoing grievances. The Individual describes the focus of Appendix 18 as a “historic exposé of matters which have culminated in large part towards the actions of” the OIPC, which “exemplifies many key issues which give the entirety a more comprehensive view of the truths and the inherent abuses suffered” by the Individual.⁸⁷ I find the contents of Appendix 18, including Appendices 18(a) through 18(bbb), are also not relevant to this proceeding.

[102] I find the following Appendices and Enclosures were unnecessary to include because they are publicly available online or otherwise redundant:

- Enclosures A and B, consisting of the Notice and the Registrar’s February 3, 2026 email appending the Notice;
- Enclosures J and K, consisting of the first pages of Decisions F25-03 and F25-04;
- Enclosure N, consisting of a letter from the Director that also appears in the Examples;
- Enclosure O, consisting of an OIPC news release;
- Enclosures F, EE and W, consisting of slightly different versions of the Contact List;
- Enclosure F, consisting of Legal Counsel’s job profile;⁸⁸
- Enclosure X, consisting of the first pages of two OIPC Orders; and
- Enclosure Z, consisting of the Office of the Registrar of Lobbyists’ 2025 *Submission to the Special Committee to Review the Lobbyists Transparency Act*.

[103] I acknowledge that it may be entirely reasonable for parties in other OIPC proceedings to provide supporting materials that are publicly available online. In this case, however, I find it indicates an abuse of process given the page limit and the excessive volume of irrelevant and unnecessary materials beyond it.

⁸⁷ *March 2nd Letter*, page 44 (at Appendix 18).

⁸⁸ The Individual included this to argue that Legal Counsel was not a proper delegate of the Commissioner; however, the *Delegation matrix*, *supra* note 59, is publicly available online.

This is detrimental to the other parties, as noted above, as well as the OIPC given how time consuming it is to work through excessively large submissions.

[104] Appendix 18 is illustrative of this excess, at 107 pages inclusive of its Appendices. The Individual acknowledges that Appendix 18 is “not new or fresh evidence”, as it has “both been before the [OIPC] in many formats and investigations and Inquiries, and it is in the auspices of the public bodies’ consortium”.⁸⁹ Appendix 18 is therefore an example of supporting material that is both irrelevant and redundant. I find the sole purpose of including Appendix 18 was for the Individual to air his past grievances. This is an improper use of this proceeding, and a further indication that the Individual is abusing OIPC processes.

[105] The above findings relate solely to the Individual’s initial submissions; however, I similarly find that the Individual included an excess of irrelevant and redundant materials in his reply submissions.

5. Berating and attacking others

[106] The Individual berates and attacks several parties on multiple occasions, and I find many of his statements to be wholly inappropriate and unwarranted. These include, but are not limited to, the following examples:

- It is clear that [Legal Counsel] [...] is confused in regards to the interpretation of his home statute. This *faux pas* initiates his actions in great jeopardy and indeed great disregard.⁹⁰
- It is plain to see why [the Ministries’ initial submission] is unauthored.⁹¹
- Presumably the MAG is afraid to identify the individual(s) that would be responsible for callous writing or due falsifications.⁹²
- As for the University of British Columbia, it is evident on the surface that the writer should return to campus for both an evening course in ethics and for English writing.⁹³
- The likely AI generation of [the UBC Lawyer’s] submission is highly probable given the numerous mistakes and/or falsifications.⁹⁴
- [UBC] will complain of the cost of information access processes but will be the flag bearer for expenditures that are inappropriate in the context. What a great academic institution!⁹⁵
- If to be graded for its performance and achievements in regards to

⁸⁹ March 2nd Letter, page 44 (at Appendix 18).

⁹⁰ *Ibid*, page 1.

⁹¹ March 30th Letter, page 24 (at Appendix 3).

⁹² *Ibid*, page 1.

⁹³ *Ibid*.

⁹⁴ *Ibid*, page 14 (at Appendix 2).

⁹⁵ March 2nd Letter, page 6.

information access, UBC would require a failing grade and not be allowed to re-register.⁹⁶

[107] I wish to emphasize that statements of this nature should not, and will not, be tolerated at the OIPC. This is in line with the OIPC's policies and procedures, including the *Instructions* and the OIPC's *Respectful Conduct Policy*.

6. Failing to follow instructions

[108] Lastly, the Individual has demonstrated a failure to follow the OIPC's instructions on multiple occasions in this proceeding, including in relation to: (a) the delivery of submissions; (b) the page limit; (c) opening new matters; and (d) his conduct.

a. **Delivery of submissions**

[109] In relation to the delivery of submissions, the Notice explicitly states that each party "must provide a copy of their submissions to the other party and to the OIPC", referring to the Contact List. The end of the Notice also states:

If you have any questions, you may contact [the] Registrar of Inquiries, whose contact information is provided in the email that accompanies this letter.

[110] The Notice was sent to the parties from the individual Registrar assigned to this matter, with the Contact List providing the same email address. The Registrar once again stated the following in the body of his email:

Each party now has the opportunity to provide their own argument and evidence regarding the issues by sending written submissions **to the other party(s) and the registrar** on their set deadline(s) as per attached notice of inquiry. [*emphasis in original*]

[111] The *Instructions* similarly state, "As instructed by the notice of inquiry, parties must deliver a copy of their submissions to the OIPC and to the other parties."

[112] Despite these repeated instructions, and an additional reminder via letter from the OIPC on February 23, 2026, the Individual emailed his submissions to the OIPC's general email address on March 3, 2026 (March 3rd Email), addressed to the Commissioner directly. He did not deliver a copy to the Registrar or the other parties, as instructed.

[113] On March 6, 2026, Legal Counsel contacted the Individual by letter,

⁹⁶ *Ibid*, page 9.

saying:

Given the deadline for initial submissions in the Proceeding was March 3rd, 2026, and even though the [March 3rd Email] was not sent to the Registrar and copied to the other parties as required under the *Instructions for Written Inquiries*, the OIPC is prepared to consider your March 3 Letter as your initial submission in the Proceeding. To avoid confusion, please send it again to [the appropriate parties] with the subject line “Dr. Cimolai Initial submission”.

[114] On March 10, 2026, the Individual forwarded his March 3rd Email to the Registrar, stating, “As you now know, your assertion that nothing was received by the OIPCBC by that date is duly misrepresented”. The Individual did not acknowledge or explain why the March 3rd Email was sent to the OIPC’s general email address rather than the Registrar. He also did not update the subject line, as instructed.

[115] Mistakes and oversights happen, and the OIPC’s role is certainly not to reprimand those who make them in good faith. In this case, however, I cannot conclude that the improper delivery of submissions was an honest mistake. According to the File List, the Individual has participated in over 80 inquiries at the OIPC. To my knowledge, the instructions regarding delivery of submissions have remained consistent throughout. Given his extensive experience, along with the multiple reminders contained in the Notice, the *Instructions* and emails from the OIPC, I find it is more likely that the Individual intentionally disregarded the OIPC’s instructions.

b. Page limits

[116] In relation to page limits, the Notice explicitly states:

Initial submissions should not exceed 20 pages in length. Reply submissions should not exceed 10 pages in length. Supporting material may be included but should not contain additional arguments.

[117] I acknowledge that the Individual contests the legitimacy of the page limits; however, he dedicates hundreds of pages to Attachments and Enclosures that are irrelevant, redundant or unnecessary, as set out above. I find the Individual could have significantly reduced the total pages of his submissions without impacting his ability to present his case fully and fairly.

[118] Alternatively, the Individual could have structured his submissions in a far more efficient and streamlined manner. As described above, the Individual’s initial submissions were provided over three emails and 21 attachments. The Appendices are numbered 1-18, with many divided into subsections. Appendix 18, for example, consists of subsections (a) to (z), then (aa) to (zz), concluding at

subsection 18(bbb). Several subsections are further divided, such as Appendix 7(l) which includes subsections (i) to (iii). The Enclosures are labelled A to Z, then AA to FF. I find that this organization, or lack thereof, also prejudiced the other parties by increasing the burden for response and consuming additional resources. I note that I found it difficult and time consuming to navigate the Individual's submissions, due to both structure and sheer volume.

[119] Finally, and noting the Individual's distinction between an Appendix and an Enclosure is not clear to me, I find the Individual included many additional arguments in his supporting materials, contrary to the OIPC's instructions.⁹⁷

c. New matters

[120] The Notice states that no new matters will be opened pending a decision in this proceeding. Despite this, I can see that the Individual attempted to submit a fee complaint to the OIPC after receiving the Notice.⁹⁸

d. Conduct

[121] Lastly, in relation to the Individual's conduct, when the Registrar sent the Notice his cover email flagged the fact that the OIPC recently amended its *Instructions* to add two new sections, one of which is about improper conduct. The Registrar's email attached a copy of the *Instructions*, and the Registrar instructed the parties to review and familiarize themselves with these new sections. The section on improper conduct provides as follows:

[...] Improper conduct during OIPC proceedings may result in the OIPC imposing restrictions on a party's continued participation in the proceedings and may even result in the cancellation of an inquiry.

Examples of improper conduct include:

- failing to abide by the OIPC's directions during the proceedings;
- acting in a manner that shows contempt for OIPC's proceedings;
- using rude, inflammatory, derogatory, disrespectful, inappropriate or threatening language in communications with other parties, their representatives or OIPC staff;
- disparaging attacks on the character of other parties, their representatives, or OIPC staff;
- indiscriminate and unfounded allegations that another party, their representative, or an OIPC staff member is acting in an improper manner.

⁹⁷ For example, see Appendix 11, in which the Individual argues the public bodies have engaged in obstructive and willful delay tactics.

⁹⁸ Legal Counsel confirmed in the *March 6th Letter* that no new files, including this new fee complaint, would be opened while a decision in this proceeding was pending.

[122] I find every example of improper conduct to be present in this case. This entire section is dedicated to the Individual's failure to abide by the OIPC's directions, while examples of the final three bullet points have already been provided above.

[123] I also find the Individual is acting in a manner that shows contempt for OIPC proceedings. This is due, in part, to his failure to adhere to instructions, along with several statements made in his submissions. I will not repeat every example here; however, I find the following quotes taken from the first page of the Individual's submissions to be illustrative of his contempt:⁹⁹

- [Legal Counsel] in his correspondence labels his proposed 'Notice' as 'Commissioner-Initiated Abuse of Process'. The latter could be very well true that your bureau has initiated, and may be implicated in, an 'abuse of process'.
- Furthermore, whether for the public bodies, their representation, or for actors of the [OIPC], including yourself Commissioner Harvey, the entirety raises engagement with tenets of nonfeasance, misfeasance, and malfeasance in public office. This is due notice.
- There is no provision [in FIPPA] for any such nebulous 'process' now conjured by [Legal Counsel].

[124] In conclusion, I find the Individual has consistently failed to follow the OIPC's instructions. In my view, this indicates that he does not have a genuine interest in having his issues resolved through OIPC processes.

Conclusion, abuse of process

[125] Having considered all of the circumstances set out above, I find the Individual is abusing OIPC processes.

[126] The Individual has demonstrated a consistent pattern of using OIPC resources in an inappropriate and excessive manner, despite being told in two prior Orders that the OIPC considers his conduct to be an abuse of process.

[127] The Individual continues to use many of the same tactics he has in the past. He submits large volumes of irrelevant materials, yet he fails to meaningfully address the issues at hand. He uses his submissions to make unfounded allegations and inappropriate remarks about others, while denying any wrongdoing of his own.

[128] Although he has sought OIPC review over 300 times, the Individual continues to show contempt and disrespect for OIPC processes and the

⁹⁹ March 2nd Letter, page 1.

individuals involved, and he fails to follow instructions despite extensive experience with OIPC processes.

[129] The Individual's conduct has resulted in an excessive and disproportionate use of OIPC resources. This indicates he is not using OIPC processes for their intended purpose, namely, to resolve disputes under FIPPA and PIPA. I have no trouble concluding that the Individual is abusing OIPC processes. The next step is to determine the appropriate remedy.

Appropriate Remedy

Public bodies' submissions, appropriate remedy

[130] PHSA submits it is appropriate in the circumstances for the OIPC to cancel all open files and investigations involving the Individual; restrict the Individual's ability to open new files at the OIPC; and, restrict the Individual's ability to file new access requests related to his employment or professional history.

[131] UBC says the conduct in this case is more egregious than any prior cases where the OIPC has cancelled an applicant's pending inquiry and investigation files for abuse of process, due to the sheer volume of requests, complaints and inquiries initiated by the Individual, and because the Individual has blatantly disregarded two prior Orders finding that his conduct amounts to an abuse of process. As such, UBC seeks authorization to disregard a pending access request from the Individual (Pending UBC Request) as well as any future access requests from the Individual. UBC submits the appropriate remedy is that: the Pending UBC Request is cancelled, along with F25-02865, a related file; the Individual is barred from making additional access requests to UBC for a period of five years; all pending investigation and inquiry files involving the Individual are cancelled; and, the Individual is declared a vexatious litigant and, as such, is subject to a complete bar on his ability to initiate new OIPC proceedings for five years, or such period as the OIPC considers appropriate.

[132] The Ministries request that the Individual: be required to seek and receive leave from the OIPC prior to opening any new files, with a presumption that any new file is an abuse of process; be limited to having one open file at the OIPC at any given time; and, be subject to a five-page correspondence limit in all matters, inclusive of attachments. The Ministries submit that the fact that the Individual "persists in this behaviour – even in the context of an abuse of process proceeding where he was explicitly put on notice that precisely this type of behaviour would be considered – underscores the necessity for the OIPC to take exceptional measures to prevent his continued abuses".¹⁰⁰

¹⁰⁰ March 2nd Letter, page 6.

Individual's submissions, appropriate remedy

[133] The Individual says that a request to disregard current and future access requests only demonstrates a “need to urgently suppress information that is duly due for provision but which it does not want [him] to see”.¹⁰¹ In response to the Ministries’ request, specifically, he says the relief claimed is “ridiculous, malicious, targeted, and patently inappropriate” and the pleading is “considerably desperate in all regards”.¹⁰²

Analysis and findings, appropriate remedy

[134] For the reasons that follow, I find it appropriate to: (1) identify the Individual in the publication of this Order; (2) cancel the Outstanding Files; and (3) impose restrictions on the Individual's future use of OIPC processes.

1. Publication of Order

[135] The OIPC's general practice is to anonymize the identity of complainants and applicants as a privacy protective measure. In this case, however, I find the interest in the proper administration of FIPPA and PIPA outweighs the Individual's legitimate privacy interests.

[136] In line with previous OIPC Decisions, I find there is a strong public interest in other public bodies and organizations being aware of this Order and the specific individual it relates to.¹⁰³ Other public bodies or organizations that experience conduct consistent with what I have outlined above may then use these findings to assess whether the conduct they are experiencing also rises to the level of an abuse of process. This will enable them to take any steps necessary to ensure the efficient and appropriate use of public resources. This includes, but is not limited to, applications to disregard future access requests that are an abuse of process.

[137] I have therefore determined it is appropriate to identify the Individual in this Order. In reaching this conclusion, I considered how the OIPC's previous anonymized findings that the Individual engaged in an abuse of process have had little to no impact on the Individual's continued abuse of OIPC processes. I also considered, but did not find it determinative, that several decisions involving the Individual and his past grievances are already in the public domain.

2. Cancellation of the Outstanding Files

[138] Both the *Instructions* and the *Respectful Conduct Policy* explicitly provide

¹⁰¹ Ministries' reply submissions, page 4.

¹⁰² *March 30th Letter*, page 31 (at Appendix 3).

¹⁰³ *Ooms*, *supra* note 9; *Gunn*, *supra* note 12.

that improper conduct may result in the cancellation of an inquiry. The Individual is no stranger to this, as he has previously had 26 OIPC files closed for an abuse of process.¹⁰⁴

[139] In Order F23-23, the Director correctly predicted that the Individual would “continue to use FIPPA processes as he has done in the past, namely as a means to complain about [past grievances] and berate the public bodies’ lawyers and affiants”.¹⁰⁵ As in that case, I find that allowing the Outstanding Files to proceed would perpetuate the Individual’s abuse of OIPC processes and be an unreasonable use of public resources.

[140] I can see from the Examples involving the Outstanding Files that the Individual has neither the intention nor, perhaps, the ability to participate in OIPC proceedings without engaging in improper conduct. He continues to include irrelevant materials, previously rejected arguments and unfounded allegations of wrongdoing in his communications and submissions. As the Individual has yet to acknowledge any wrongdoing on his part, I am doubtful that this Order will have any meaningful impact on improving his conduct. I therefore find it appropriate in the circumstances to cancel the Outstanding Files. In reaching this conclusion, I considered whether any exceptional circumstances warranted the continuation of any of the Outstanding Files, and I determined that none did.

3. Restrictions on Future Use

[141] Finally, although I have determined it is appropriate to impose restrictions on the Individual’s future use of OIPC processes, I decline to order a remedy that bars him from making future access requests and requests for information altogether. This is because I cannot conclude that all of his future requests will necessarily be an abuse of process.

[142] Despite this, I do not consider it fair or appropriate to limit the Individual’s access to OIPC processes while providing no relief to the public bodies and organizations who have been, or may be, subject to the Individual’s abuse of process. Although the second remedy I impose below, limiting the Individual to one OIPC file at a time, will reduce their burden in relation to the Individual’s OIPC proceedings, it will have no impact on the resources required to fulfill or request authority to disregard any requests that are an abuse of process.

[143] Given the excessive public resources the Individual has consumed to date, I find it appropriate in the circumstances to amend the OIPC’s usual process for requesting authorization under s. 43 of FIPPA or s. 37 of PIPA to disregard the Individual’s requests. The typical process is as follows:

¹⁰⁴ Order F23-23, *supra* note 6; Order F24-24, *supra* note 7.

¹⁰⁵ Order F23-23, *supra* note 6, para 83.

1. the public body or organization requests authorization to disregard, including considerable detail in their request;
2. the OIPC attempts to resolve the matter and, if unresolved, proceeds to the next step;
3. the OIPC issues a notice of inquiry and requests written submissions from the parties;
4. the public body or organization provides written submissions (typically their initial request to disregard);
5. the individual has an opportunity to respond; and
6. the public body or organization has an opportunity to reply.

[144] My intention with the third remedy below is to eliminate steps 1, 2 and 4 from the process and place the onus on the Individual to establish why the OIPC should not grant authorization to disregard his request. In my view, this will sufficiently address any abuse of process in the Individual's requests, while preserving his ability to make such requests and access OIPC services.

CONCLUSION

[145] For the reasons given above, I find Nevio Cimolai's use of OIPC processes constitutes an abuse of process. I have decided as follows:

1. All of the Outstanding Files are cancelled, specifically OIPC Files INV-F-23-94318, INV-F-24-95636, INV-F-24-95917, INV-F-24-96614, INV-F-24-98586, INV-F-25-01399 and INV-F-25-02865 along with any associated ADJ files. Those files are now closed.
2. I impose the following restrictions on the Individual's ability to use OIPC processes:
 - a. the Individual must seek and receive permission from the OIPC before initiating any complaint or request for review under FIPPA or PIPA (each, a Proceeding) by submitting a request for permission to the OIPC's main email address (info@oipc.bc.ca) that is no more than one page in length, inclusive of attachments, describing the issue he would like the OIPC to consider and why;
 - b. if the Individual demonstrates any conduct that is similar to what I have found in this Order to be an abuse of process, permission to initiate a Proceeding will be denied or, in the case of a Proceeding that has already been initiated, the Proceeding will be cancelled and all related files will be closed; and
 - c. unless otherwise permitted by the OIPC, the Individual may only have one open Proceeding at any given time.

-
3. I impose the following process regarding authorizations under s. 43 of FIPPA or s. 37 of PIPA to disregard requests made by the Individual:
- a. the public body or organization may apply in writing by stating that it is requesting authorization to disregard the Individual's request pursuant to this Order;
 - b. the Individual will be given an opportunity to respond in writing to the public body or organization's request;
 - c. the public body or organization will be given an opportunity to reply in writing to the Individual's submissions; and
 - d. the Individual will have the burden of proving that his request is not an abuse of process and that it should not be disregarded under s. 43 of FIPPA or s. 37 of PIPA.

October 05, 2026

ORIGINAL SIGNED BY

Amy O'Connor, Adjudicator

OIPC File No.: ADJ26-00037