

September 23, 2024

Standing Committee on Justice and Human Rights  
Sixth Floor, 131 Queen Street  
House of Commons  
Ottawa ON K1A 0A6

Ladies and Gentlemen of the House of Commons Standing Committee on Justice and Human Rights:

**A list of court actions launched against us by an agent of the Saskatchewan government:**

SK QB174 2019

SK QB230 2019

SK QB231 2019

SK QB174 2021

SK QB175 2021

SK KB174 2023 (application of 2021 reopened to clarify decision rendered in 2022) adjourned by the Judge who rendered the original decision

SK QB175 2023 (application of 2021 reopened to clarify decision rendered in 2022) adjourned by the Judge who rendered the original decision

SK KB174 2024 (different Justice) Judge stated it was unclear whether the applicant was entitled to the Writs of Possession they had been seeking since 2019.

SK KB175 2024 (different Justice) Judge stated it was unclear whether the applicant was entitled to the Writs of Possession they had been seeking since 2019.

**All cases against us were Discontinued, Dismissed or Decided with conditions that we met. In every case we self-represented and every effort we made for mediation was rejected.**

The serial applicant we faced was an Authority, an Other Legislated Entity, defined by both the Saskatchewan government and the CRA as a “**public body performing a function of government**”. It was created by, and is wholly responsible to, the Government of Saskatchewan (significantly funded by them as well). In every case Suffern Lake Regional Park Authority (SLRPA) was represented by Robertson Stromberg a well-known Saskatchewan law firm.

**In our circumstances there were actually 12 contrived legal actions related to what began as a minor concern regarding a few hundred dollars worth of tax**

**invoices that appeared to indicate local taxation inequities. Our search for the truth of it proved long-term assessment manipulation and tax avoidance in our regional park community.**

This is not conjecture. The former CEO of Saskatchewan Assessments Management Agency (SAMA) **acknowledged our findings and thanked us for identifying a weakness in the provincial taxation system.** The entire Executive Committee/Cabinet of the Government of Saskatchewan was privy to his communications and, as promised, he made efforts to initiate change to regulations and legislation to stop assessment manipulation and tax avoidance.

We continued our scrutiny of the tax inequities and further identified systemic tax evasion in other regional parks, recreational properties and seasonal recreational communities provincewide. **Ultimately, we identified some \$50,000,000 worth of Saskatchewan private dwellings inappropriately receiving discounted Education Property Tax (EPT) assessments with some paying no EPT at all;** the majority were located in seven of the 296 RMs, all seven have close ties to existing SaskParty insiders or to important players that have only recently left the political game.

**Clearly the court efforts were not about financial gain. They were part of a government sanctioned effort to keep us from exposing wrongdoing and to buy time for quiet cleanups:**

- Regulations regarding tax exemption grants have been changed.
- Lottery regulations around conflict of interest have been changed.
- Environmental violations around Pine Beetle are now being enforced.

Change that benefits all Saskatchewan residents.

**Change that has cost us physical property, years of defamation and involvement in a long stream of contrived court cases which were rife with perjury and which were clearly an abuse of both us and the system.**

On a good year, SLRPA grossed \$160,000. What did they get for their monumental abuses of the court system? Anecdotally, resale of the cottages they took through Writ of Possession netted \$45,000. But what did it cost this government entity? That has not been disclosed but if anyone is able to make an informed and reasonable guess, it is the people sitting on your Committee.

Our actions increased tax revenue for the Government that indirectly sued us. We brought attention to the importing of barked pine wood that if continued could have devastated provincial forests. We identified serious violations of Federal Provincial laws regarding water security.

**What did we get for our public service? Attacked and financially beaten down; the courts weaponized against us.**

The favoured government response to our queries on these issues? “*Get a lawyer*”. followed by, “*no comment, its before the courts*”. For the record, we have spent thousands of dollars on lawyers and in total consulted with seven different lawyers. One renowned Saskatchewan lawyer, since retired, told us we were very close to proving tort of conspiracy. Another told us we had no case, however, we note that he is a consistent contributor to the governing SaskParty and a family friend of a former Justice Minister.

Every lawyer fully understands the obstacles involved in pursuing the wrongdoings of Government and its agents. Small firms cannot afford contingency cases, big firms aren't interested in “chicken feed” payouts that will not materialize for years. Sask Gov will spend \$25 million this year on “outside” lawyers. The potential to snag a chunk of those out-sourcing dollars is a prime motivator for lawyers to play nice with government.

**Citizens attempting to hold government to account face the favoured obstruction tactics of delays, denials, redirects and, of course the protective clause “no comment, its before the courts” – a formula that makes it nearly impossible to action, never mind win, a civil case against Government. One side has unlimited funds with no personal risk while the other is out of pocket facing great personal risk.**

The Justice system as it operates right now is an industry, NOT a service.

When government, its agents and agencies choose to weaponize the courts, they know money and time are elements in their favour, elements that typically let the responsible parties off the hook.

We are seeing that in Saskatchewan right now; about half the MLAs that were in office when our issues began in 2018 will have left office by the end of October 2024. Most of them represent the SaskParty which has held power throughout our efforts; far too many of them were directly involved in our issues.

Ordinary citizens cannot afford \$500/hour lawyers and continuous court appearances. Governments can.

**Ladies and Gentlemen, something must be done to create fairness in a system that currently favors those who have the most money available for court use.**

Our case is not unique. Unfortunately, you will know that. Currently, politics is riddled with despicable, divisive commentary; lying in court isn't relevant; and breaching the public trust is an acceptable government tactic.

**Laws drive our country.**

The people who enforce, craft and review those laws must ensure they are applied fairly and equitably and are not open to abuse.

There is no protected disclosure status for the ordinary citizen whistleblower.

**Our elected officials, those chosen to represent us as “servants of the people”** should prevent the diverting, discrediting, discouraging and attacking of people who find the truth and tell it. The attacks **should not be perpetrated by governments for political purposes** in wrongful protection of the responsible individuals who will suffer no consequences.

**Initiating court actions to disguise government incompetence and wrongdoing is a devastating and outrageous abuse of the public trust.** Breach of Public Trust is rampant and consistently occurs without penalty supporting a totalitarian disregard for individual and group opposition.

Sadly, the situations we describe are not isolated. We know of many Canadians who have faced similar damaging attacks spawned by governments, their agents and agencies attempting to hide their own wrongdoing.

### **Paying for Both Defense and Offense**

When Government wrongdoings are exposed but still routed into the courts, the whistleblowing citizen not only has to finance their own defense, but they will also be supplementing the perpetrator’s case with their tax dollars whenever public funds are used.

### **Selective Enforcement**

Agencies and agents of government (with the knowledge and assistance of the provincial government) initiate lawsuits and selectively enforce Federal and Provincial laws and regulations.

If the violator is an agent of government or an “*insider*” there will rarely be any penalty applied.

However, if the violator is an independent citizen or small business, they do not hesitate to assess fines and sanctions.

#### **1. Mountain Pine Beetle**

In 2015 members of our group learned SLRPA imported two tractor trailer loads of barked pinewood (≈ 40 tonnes) from Alberta, selling some wood to campers and some to home and farm residents in the region.

- Sask Environment was contacted. The issue was investigated by Alberta and Sask. Officers. SLRPA received a written warning. No fines and no penalties assessed against individuals responsible.
- An involved enforcement officer advised us the directions for dealing with the matter “*came from Meadow Lake*” and erroneously claimed it was not their purview to issue a public statement.
- Minister for the Environment at the time was current Premier, Scott Moe.
- MLA for Meadow Lake was, and still is, controversial representative Jeremy Harrison.

But if you’re not a government agency? Recently (2024) a firewood, logging and sawmilling company in southwestern Sask committed the same offense importing truckloads of barked pinewood from Alberta.

- The company was fined \$9700, and the imported wood burned.
- Ministry of the Environment issued a media release stating, “*pine beetle has killed large swaths of forest in BC and Alberta, and is also established in the Cypress Hills area, putting all of Saskatchewan's pine forests at significant risk. To help contain the threat, a Minister's Order ... has been **in place since 2008**... prohibits the import of pine logs with bark into Saskatchewan from BC, Alberta and the U.S.*”

## 2. Environmental Concerns \* Shoreline Alterations

A cottage owner at Suffern Lake Regional Park was fined \$1000 by Sask Environment for having construction too near the lake’s natural high-water mark (riparian zone).

In fact, the existing level is NOT the natural high-water mark for the lake. Around 2009, apparently without studies or permits, SLRPA artificially raised the water level in Suffern Lake enough to alter shorelines up to 10 meters horizontally and by a depth of more than half a meter. When details for the process of this alteration were requested, Sask Water Security Agency (WSA) said we would have to file a FOIP request.

Erika Ritchie an Environmental Engineer and a Saskatoon MLA made a similar request from WSA; according to CBC reporting, the estimate for responding to Ms Ritchie’s FOIP application was \$107,000.

There are many examples from across Saskatchewan where individuals have paid substantial fines (at least 5 figures) for making minor shoreline alterations yet SLRPA has paid no penalty for significantly altering an entire ecosystem.

## 3. It’s Who You Are and Who You Know

An individual properly reported to WSA that water provided by an agent of SaskWater was being delivered at pipeline pressures that fell well below regulated provincial safety standards. This citizen was looking for correction of a health concern. He found himself being arrested for “stealing” tens of thousands of dollars’ worth of water. His accuser was the delivery contractor. No evidence was provided to prove the accusations, and the Crown did not pursue the matter.

WSA subsequently determined their provincial pressure standards did not apply to the system in question – a system operated by a developer of rural residential communities located in Justice Minister Eyre’s constituency.

The matter has now found its way to court on a different pathway and is currently in progress with an appeal hearing scheduled for October.

#### **4. RM Wrongdoing \* Disassembling an Entire Community \* Why? Who Benefits?**

A criminal investigation is currently underway regarding Municipal wrongdoing in the dismantling of the hamlet of Lone Rock located about 30 km south of Lloydminster (75 from Suffern Lake). In 2018, the RM of Wilton began anonymously purchasing Lone Rock properties through a numbered company and a realtor making time-limited offers to purchase subject to nondisclosure agreements. Some offers were less than 10% of real value.

Residents complained they were being coerced to sell under the threat of having municipal water and sewer services cut off. And those who did refuse to sell? In 2021, the RM demolished the hamlet’s water treatment plant and shut down sewer services.

There seem to be nefarious reasons for the RM to want this community vacated. Lone Rock was at the heart of the oil discovery that created much individual wealth in the Lloydminster area and former residents recall when “*Husky tried to buy the town*”. WSA records show high ammonia levels beginning in 2016 and records on the Sask H2O website also show higher-than-allowed levels of alkaline, sodium and total dissolved solids. Some residents believe that nearby drilling activities have compromised the local aquifer.

A criminal complaint lodged by residents in 2018 alleged that the rural municipality had violated provincial law and the Criminal Code with their underhanded anonymous buyouts.

A subsequent complaint regarding the outcomes of the responsive RCMP investigation was filed in 2022 culminating in an August 2024 report from the Civilian Review and Complaints Commission calling for further investigation into the original allegations against the RM of Wilton.

The Commission report also directs the reopened investigation to focus on identifying possible conflicts of interest. Former residents have commented that with the destruction of the hamlet of Lone Rock, the underlying aquifer would have no registered water claims leaving it open for use by companies seeking a viable water resource to develop Steam Assisted Gravity Drainage (SAGD) oil extraction opportunities.

#### **5. Suffern Infrastructure Tampering \* Municipal Oversight \* Conflict of Interest**

In 2018 at Suffern Lake Regional Park the water infrastructure serving the cottages of two individuals who became Respondents in the long stream of court cases initiated by SLRPA, was physically removed.

Four of us were scheduled to appear as witnesses in a 2019 provincial court action launched against another cottage owner when we were unexpectedly named in a Queen's Bench application. Interestingly, Premier Moe identified us as respondents before we had even been notified that we were being sued, yet Sask Gov pretends they are uninvolved.

After losing their initial cases, SLRPA launched new applications again seeking summary Writs of Possession. Their claim? Respondents refused to pay their bills. No. We refused to pay for water services we no longer had access to and requested revised invoices.

SLRPA operates under municipal oversight from the Village of Senlac and the RMs of Senlac and Manitou Lake. These bodies appoint representatives to the Authority and are responsible to ensure SLRPA adheres to regional park legislation and regulations overseen by various Ministries, such as Government Relations, Parks Culture and Sport, and Environment.

SLRPA's current Chairman was appointed by the RM of Manitou Lake; he has provided false information in sworn statements to the court and was one of the individuals benefitting from the unreasonably low property tax assessments engineered by the Park authority. Although unaddressed, our Conflict-of-Interest concerns were communicated to the RM.

The Chairman responsible for initiating the original legal actions against us had extended family members whose Park property taxes were seven years in arrears. The RM of Senlac was aware of this situation and took no action although they are responsible for Park tax administration including equitable assignment of penalties. We were sued when only 90 days in arrears on contested tax bills.

In every case that made it to court, SLRPA provided false and misleading information. We raised perjury with the Canadian Judicial Council, the Saskatchewan Law Society and your Committee for Justice and Human Rights. No one has ever said our claims of

perjury were false. We were shocked to learn that perjury is addressed at the discretion of the Judge. None of the perjured or defamatory statements contained in court submissions were addressed; nor was our concern about forged documents. About 80% of the affidavits SLRPA relied on were submitted by a man who had faced criminal charges in this same region; his trial included a change of venue and the outcome of the court action is closed.

## **6. RM Oversight \* Hiding Tax Evasion by Removing a Park**

Lemsford Ferry Regional Park (LFRP) was a recreational area developed in the late 60s and situated in the RM of Clinworth. It had a small cottage community, RV and camping sites, an Olympic-sized pool, a hall, playgrounds, mini golf and summer programs. In 2018 (timing that seems bizarrely coincidental) the RM of Clinworth, with the assistance of staff from the Ministry for Parks Culture and Sport, set out to dissolve the Park and remove it entirely, cottages and all. Cottage owners faced Writ of Possession threats and were left with no recourse but to move dwellings or abandon them. This was recently accomplished.

The former CEO of Saskatchewan Assessment Management Agency confirmed our findings that the LFRP cottage community had never paid any Education Property Tax in the 20 plus years the tax had been applicable. The RM, who according to existing legislation is liable for uncollected taxes owed to the government, had not advised SAMA that the cottages existed so the properties had never been assessed and no taxes were ever collected.

Former Premier Brad Wall and former Deputy Premier Bill Boyd both lived in relatively close proximity to the Park, it seems unlikely they didn't know the cottage community existed. Saskatchewan Association of Rural Municipalities (SARM) is aware of RM concerns regarding their obligation for uncollected taxes owing and has fielded resolutions lobbying the government. (*David Marit, longtime former SARM President, now serves as Agriculture Minister responsible for Water Security.*)

## **7. Baffling Raffles**

SLRPA operated fund-raising raffles/lotteries. These are overseen by Saskatchewan Liquor and Gaming Authority (SLGA). We brought Irregularities in financial reporting and adherence to licensing regulations to the attention of SLGA. The Director of Integrity and a senior licensing Manager said there were no violations because of the regulations SLRPA had been operating under. FOIP responsive materials show the Integrity Director and the Licensing Manager misdirected us by providing operational information for the "small" raffles SLRPA ran, not the "regular" raffles we provided the financial figures for and which operate under more stringent guidelines.



The same FOIP information confirmed that over a 4-year period, the amount of income SLRPA reported to SLGA for ticket sales was \$17,250 greater than what was reported to local stakeholders in financial documents. The Ministry for Parks Culture and Sport (PCS) have refused to provide financial reconciliations. The Deputy Minister attempted to block our FOIP request claiming we were being vexatious and frivolous. The Privacy Commissioner adamantly disagreed and allowed our request to go forward. The Ministerial response was highly redacted and did not disclose the investigation reports or provide a raffle income reconciliation.

Following these events, SLRPA's Chair in a well attended public meeting stated that we were backstabbers who had cost the Park \$6000 in lost lottery revenues. SLGA's Director of Integrity responded with hopes that we would be able to sort out the difficulties in our community and enjoy our lake life. SLRPA continues to operate "small" raffles.

### **A Summary of Lost Dwellings**

Cottage owners at Suffern Lake were court-directed to sell. They did so at great financial loss. After the January 2024 application dismissals, SLRPA who obstructively denied land leases to new owners following court-directed sales in October 2022, took possession of the two properties based on the lack of a current/valid lease.

Cottage owners at Lemsford Ferry had no opportunity to sell; their Park was dissolved.

The forced sale of homes in Lone Rock is now under criminal investigation.

Why are the assessment manipulation and tax evasion in Regional Parks which led to the forced sale of two cottages, and the dissolution of an entire regional park with an active 19-cottage community not being investigated?

### **Conclusion**

Prime Minister Justin Trudeau once commented that **Justice Ministers were servants of the public not servants to political parties**. Sadly, our experience is the opposite. When the offender is directly associated with the Government, Saskatchewan Justice Ministers regularly turn a blind eye or deliver reasons why they cannot be involved. *If Justice Ministers can not or will not address proven wrongdoing, who does?*

During our years attending court, former Sask Justice Minister/Attorney General (JAG) Don Morgan ignored the issues entirely (his wife worked at Robertson Stromberg); former Sask JAG Gord Wyant said he could not intervene and directed us to engage a lawyer. Current Sask JAG, Bronwyn Eyre has not addressed our issues at all.

We also raised concerns with the offices of former federal Attorney General Jody Raybould-Wilson and David Lametti and with current AG, Arif Virani. All three

acknowledged the concerns we brought forward but noted they were outside their jurisdiction. The most comprehensive reply came from the office of Minister Virani. It was respectful, understanding, and acknowledged the obstructions we faced provincially that led us to advance concerns to the federal level. His response was validating but it did not identify pathways to solution or resolution.

Senators and other Party leaders have not responded.

**Where will this take us?**

It does not require courage of those in power to attack and discredit the everyday citizen; it takes a great deal of courage to fight, challenge and resist the status quo. We have done that.

**We believe your part is to find or create a process to judicial fairness that eliminates financial bias and addresses misuse/abuse of the courts which constitute Breach of Public Trust.**

Sincerely,

Lisa Wildman, Norm Zigarlick, Joanna (Ritchot) Guadagno and John Danilak

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