

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

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18-000534

SEP 21 2018

Evelyn Eichenbaum  
Clerk/Returning Officer  
and  
Don Boyle  
Chief Administrative Officer  
Haldimand County

[eeichenbaum@haldimandcounty.on.ca](mailto:eeichenbaum@haldimandcounty.on.ca)

Dear Evelyn Eichenbaum and Don Boyle:

Thank you for your letter regarding the Grand Erie District School Board election.

As you know, section 39 of the *Municipal Elections Act, 1996* (the Act) provides for situations where a certified candidate becomes ineligible, before the close of voting, to hold the office for which they were nominated.

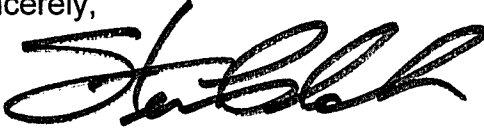
In instances where the ineligibility of a certified candidate would result in another candidate being elected by acclamation, the election is void and a by-election must be held to fill the office. The Act does not provide the Minister of Municipal Affairs and Housing with the authority to issue an order to provide that the remaining candidates are acclaimed.

Additionally, section 7 of the Act sets out who is responsible for the costs of administering an election under the Act. The school board must pay the costs of a by-election conducted on its behalf as soon as possible after receiving a certificate verifying the cost and signed by the clerk of the local municipality administering the by-election.

I appreciate the challenges that conducting a by-election in such close proximity to a regular election may pose. Staff in the ministry's municipal services office is available to provide support. Please contact Maureen Beatty, Municipal Advisor for Haldimand County, at [Maureen.Beatty@ontario.ca](mailto:Maureen.Beatty@ontario.ca) or 519-873-4029 with any questions.

Once again, thank you again for bringing your concerns to my attention. Please accept my best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clark', written in a cursive style.

Steve Clark  
Minister

- c. The Honourable Doug Ford, Premier  
Toby Barrett, MPP Haldimand-Norfolk