

Information and Privacy Commissioner,  
Ontario, Canada



Commissaire à l'information et à la protection de la vie privée,  
Ontario, Canada

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## ORDER MO-4765

Appeal MA25-00870

Toronto Police Services Board

February 13, 2026

**Summary:** On July 3, 2025, a media requester asked the Toronto Police Services Board for specific collision reports for a specified period. They appealed because the police did not issue a decision within the prescribed time limit. The decision-maker finds that the police have not issued a final access decision and the request is deemed to have been refused. The police are ordered to issue a final access decision by February 27, 2026.

**Statute Considered:** *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended, sections 19 and 22.

### OVERVIEW:

[1] On July 3, 2025, a media requester (the appellant) asked the Toronto Police Services Board (the police) for access under the *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*) to specific collision reports for a specified period.

[2] On September 8, 2025, the appellant appealed to the Information and Privacy Commissioner of Ontario (the IPC) because the police failed to issue a decision within 30 days of the access request. File MA25-00870 was opened.

[3] On October 14, 2025, the police issued a fee estimate of \$150 for responsive records and requested a deposit of \$75. On October 27, 2025, the appellant paid the deposit.

- [4] On January 7, 2026, I asked the police whether a final decision had been issued.
- [5] On January 16, 2026, the police advised that it had not issued a final decision and anticipated doing so within two to three weeks.
- [6] On January 23, 2026, I decided to conduct an expedited inquiry and issued a Notice of Expedited Inquiry, encouraging the police to issue a final access decision by February 6, 2026.
- [7] On February 6, 2026, the police advised that it had not issued a decision and requested an extension until February 27, 2026.
- [8] Considering the above, and to ensure there are no further delays in processing this access request, I will order the police to issue a final access decision to the appellant.

## **DISCUSSION:**

- [9] Section 19 of the *Act* states:

Where a person requests access to a record, the head of the institution to which the request is made or if a request is forwarded or transferred under section 18, the head of the institution to which it is forwarded or transferred, shall, subject to sections 20, 21 and 45, within thirty days after the request is received,

(a) give written notice to the person who made the request as to whether or not access to the record or a part thereof will be given; and

(b) if access is to be given, give the person who made the request access to the record or part thereof, and where necessary for the purpose cause the record to be produced.

- [10] The circumstances giving rise to a deemed refusal are set out in section 22(4) of the *Act*. This section states:

A head who fails to give notice required under section 19 or subsection 21(7) concerning a record shall be deemed to have given notice of refusal to give access to the record on the last day of the period during which notice should have been given.

- [11] Where a time extension is not claimed, it is expected that, prior to the expiry of the 30-day time limit in section 19 of the *Act*, subject to sections 21 and 45 of the *Act*, written notice will be given to the requester as to whether access to the record or a part thereof will be given and for access to the record to then be given to the requester. This is referred to as a final access decision. If a final access decision is not issued prior to the

expiry of this 30-day time limit, the institution would be in a "deemed refusal" pursuant to section 22(4) of the *Act*.

[12] The appellant requested records on July 3, 2025. The police issued a fee estimate on October 14, 2025, and the appellant paid the deposit on October 27, 2025. As of today, the police have not issued its final access decision despite the appellant filing this appeal with the IPC and me issuing a Notice of Expedited Inquiry, encouraging it to do so by February 6, 2026.

[13] As a final access decision was not issued to the appellant, the police are deemed to have refused the access request.

[14] Therefore, I find the police to be in a deemed refusal situation pursuant to section 22(4) of the *Act*.

[15] Accordingly, I will order the police to issue a final access decision to the appellant.

**ORDER:**

1. I order the police to issue a **final** access decision to the appellant regarding access to the records in accordance with the *Act* and without recourse to a time extension by **February 27, 2026**.
2. To verify compliance, the police shall provide me with a copy by email of the decision referred to in provision 1 by **February 27, 2026**.

Original Signed by: \_\_\_\_\_  
Michael Cusato  
Case Lead

February 13, 2026 \_\_\_\_\_