

# Property Owner Convicted of Failing to Comply with Environmental Orders



An MOE officer ordered a company and its owner to hire a qualified waste management professional to assess and classify all waste located on its industrial property. When they failed to do so, the owner was charged with failing to comply with environmental orders. The court convicted the owner, rejecting his officially induced error defence. The letter he got from the MOE that he claimed led him to believe that the property had been cleaned up to the MOE's satisfaction couldn't be construed to mean that his remediation efforts were complete. In addition, the court found that he failed to exercise the due diligence that would be expected of a reasonable person under the circumstances [*R. v. Madan*, [2016] ONCJ 107 (CanLII), Feb. 26, 2016].