
**CANADIAN BROADCAST STANDARDS COUNCIL
ONTARIO REGIONAL COUNCIL**

CITY-TV re *CityPulse* (Tenant Relocation)

(CBSC Decision 96/97-0252)

Decided February 20, 1998

A. MacKay (Chair), R. Stanbury (Vice-Chair), R. Cohen (*ad hoc*),
P. Fockler, M. Hogarth, M. Ziniak

THE FACTS

On July 16, 1997, CITY-TV (Toronto) aired the following report as part of its *CityPulse* newscast.

Anchor: We'll be visiting several of your neighbourhoods tonight to look at a number of issues; but we begin in Parkdale for the latest on the landlady who recently bussed many of her tenants to Aylmer, Ontario.

Laura Di Battista: You didn't go. Why didn't you go?

Diane (tenant): I didn't want to go. I'm not trustworthy [*sic*] of the situation.

Laura Di Battista: Diane is one of a handful of tenants left in this dilapidated rooming-house in Parkdale. All the other tenants, mostly psychiatric patients and elderly people, were bussed off to Aylmer, Ontario because the landlady told them she was renovating. Today the place is like a ghost town.

Laura Di Battista: This has been all cleaned out. There were people living here before?

Diane: Yeah, 50 people.

Laura Di Battista: What we now know is, the landlady has put this building up for sale. It's listed as an income-generating property, making up to \$43,000 gross a month. Here's the listing: it's going for \$1.4 million.

Chris Korwin-Kuczynski (City Councillor, Ward 2): Well, this is what we're trying to do is get some answers, and the problem here is that we have so many different departments that have carriage of this, that we're trying to co-ordinate everything together.

Laura Di Battista: The landlady, Ann Maxwell, promised the tenants that they could move back in two months, but the city says she won't even get a renovation permit by then. The Housing Ministry is also investigating Miss Maxwell; among other things to find out whether she's done this kind of tenant shuffle before.

Chris Korwin-Kuczynski: I can assure you that it's not going to be done again, and that's the reason why we're standing tough on this issue right now.

Laura Di Battista: City of Toronto staff have been scrambling to try to find a way out of this bureaucratic mess. They've been talking to officials at the Ministry of Housing and to officials in Aylmer, and Chris Korwin-Kuczynski says he hopes to have the whole matter resolved by the beginning of next week.

The Letter of Complaint

On July 24, a viewer complained of the so-called "neighbourhoodism" perpetuated by this broadcast, referring to a previous complaint she submitted regarding inaccurate reporting concerning the Parkdale neighbourhood (see *CITY-TV re CityPulse (Neighbourhood Drug Bust)* CBSC Decision 96/97-0216, February 20, 1998). The letter read substantively as follows:

Since my initial letter to you, CityTV has, disappointingly, broadcast another news item that once again erroneously identified the neighbourhood of Parkdale. This was aired on a news programme on the 16th July, 1997.

The item in question concerned a rooming house at 46 The Queensway, Toronto. This address is in the area of High Park, adjacent to Parkdale. The concern is that, despite my initial complaint to you, and CityTV's reply to me, they are still continuing their sloppy and irresponsible news coverage of our neighbourhood.

Our community is trying to reverse negative stereotyping. We feel frustrated that every gain we make is undermined by careless news coverage in the media. We would appreciate any help you can give us on this issue.

To this letter was attached a map of the Parkdale area.

The Broadcaster's Initial Response

On August 22, the Director of Business Affairs/Legal Counsel responded to the complainant with the following:

In order to respond to your allegations, we require further information in respect of exhibits which you have attached to your two complaints. Could you clarify the source of the map which you have enclosed with your July 24th letter. Someone had hand-written the words "provincial boundary of Parkdale" on the map. Is it your contention that the provincial electoral boundaries and the municipal area commonly known as "Parkdale" are one in the same? Could you also confirm the identity of the publisher of the map, and further the source (and identify the publisher) of the map (with hand-drawn boundaries) which was appended

to a previous complaint (July 17, 1997) relating to a May 5, 1997 telecast. On what basis were the “hand drawn” boundaries calculated?

Further Correspondence from the Complainant

On September 11, the complainant responded to the broadcaster’s request with the following:

The following is the information you requested in your letter of the 22th August, 1997.

[...]

- The map included with my letter of the 24th July, 1997 was provided by the administration office at the Provincial Legislature.
- The historically recognised boundaries of Parkdale are as follows; from Lake Ontario, north along Dufferin St. to Queen St., and then north-west along the railway to just south of Fermanagh Ave, from there, west to Roncesvalles Ave., and then south to Lake Ontario. (1887 Edwards’ map of the town of Parkdale).
- As electoral boundaries on all political levels are subject to the whim of government, the historical boundaries given above are those which identify Parkdale more accurately. The provincial electoral map extends those boundaries north and east. It is the only political map to identify an area solely as Parkdale.

The question of boundaries is, however, academic. The point at issue is “neighbourhoodism”. It is not necessary to mention a particular community in relation to negative issues, and especially so when the issue is not germane to that neighbourhood.

The Broadcaster’s Substantive Response

On October 25, the Director of Business Affairs/Legal Counsel responded to the complainant’s letter [all emphasis original]:

In respect of the actual telecast, it would appear that your grievance does not relate to the accuracy of the subject matter of the story. Our review of the tape of the broadcast indicates that CityTV accurately reported the controversy involving a landlord who had removed tenants from their home in a rooming house, to a location far outside of the Greater Toronto Area.

The news report accurately stated that:

- < the rooming house was located [at] 46 The Queensway;
- < the tenant identified as Diane, was being evicted from her lodging;
- < the landlady (Ann Maxwell) had put the building up for sale;
- < The rooming house was listed as an income generating property making up to \$43,000 gross a month. It was listed for 1.4 million dollars;
- < the Ontario Housing Ministry was investigating “Ms. Maxwell, among other things to find out whether she’s done this kind of tenant shuffle before”;

- < Residents of the rooming house had enlisted the assistance of Councillor Chris Korwin-Kuczynski (Toronto Ward 2 City Councillor) who appeared in the report on-camera and informed viewers of the action being taken by the municipal government;
- < City of Toronto staff were conferring with officials at the Ministry of Housing, and to officials in Aylmer, where tenants of the rooming house had been relocated by the landlady;

Based upon our review of the tape of the telecast, the report complied with the Code of Ethics of the Canadian Association of Broadcasters and the Radio Television News Directors Association of Canada Code of Ethics which are the only "broadcast codes" which would be applicable in this situation. We submit that the report was provided with accuracy and without bias. Further, the telecast fully complied with the RTNDA Code of Ethics, including Article One which states:

"The main purpose of broadcast journalism is to inform the public in an accurate, comprehensive and balanced manner about events of importance."

In compliance with the both the CAB and RTNDA Codes, the reporting of the news item was not biased in any manner. Further, we presented the views of the victim (Diane) and the municipal politician, Councillor Chris Korwin-Kuczynski (properly identified as the Toronto Ward 2 Representative), and thereby presented a balanced, accurate, fair and informative report.

However, your complaint appears to be well outside of the ambit of any of the Broadcast Codes administered by the Canadian Broadcast Standards Council. In fact you do not appear to dispute the municipal address which was published in the news report: "46 The Queensway". So, it appears that the accuracy of the report in that respect is uncontested.

You appear to contest whether the building was located in a particular "neighbourhood". We telecast the municipal address of the building and to contextualize the location. We referenced a neighbourhood proximate to the building. We did not state, as you infer, that the building was located in a particular provincial electoral constituency.

[...]

In your letter of July 24, 1997 ..., you disclose that the basis of your complaint to the CBSC, is that we engaged in "negative stereotyping" of residents of Parkdale. That is simply not true. There [*sic*] story in no way "stereotyped" residents of any community. Rather, the story was a sympathetic [*sic*] to the plight of a group of residents of Toronto, who happened to reside at 46 The Queensway. Was the story somehow negative towards *your "community"*, as you alleged? That assertion is without any merit. Quite the contrary, the news report showed that the municipal politician, Councillor Chris Korwin-Kuczynski, was acting decisively and responsibly and it showed that municipal and provincial officials were doing their jobs, and attempting to assist the individuals who had become displaced. This was a positive story in respect of the response of local government to the plight of some people. The fact that the landlord had displaced residents is indisputable.

Obviously in the minds of viewers, Councillor Chris Korwin-Kuczynski's representation is synonymous with Parkdale and its residents. The point is, regardless of the various maps which you have provided to the CBSC, the rooming house located at "46 The Queensway" falls within the jurisdiction of the elected municipal representative who represents residents of Parkdale.

THE DECISION

The CBSC's Ontario Regional Council considered these complaints under the Codes of Ethics of the Canadian Association of Broadcasters (CAB) and the Radio Television News Directors Association (RTNDA). The relevant provisions read as follows:

CAB Code of Ethics, Clause 6

It shall be the responsibility of member stations to ensure that news shall be represented with accuracy and without bias. The member station shall satisfy itself that the arrangements made for obtaining news ensure this result. It shall also ensure that news broadcasts are not editorial. News shall not be selected for the purpose of furthering or hindering either side of any controversial public issue, nor shall it be designed by the beliefs or opinions or desires of the station management, the editor or others engaged in its preparation or delivery. The fundamental purpose of news dissemination in a democracy is to enable people to know what is happening, and to understand events so that they may form their own conclusions.

Therefore, nothing in the foregoing shall be understood as preventing news broadcasters from analysing and elucidating news so long as such analysis or comment is clearly labelled as such and kept distinct from regular news presentations. Member stations will, insofar as practical, endeavour to provide editorial opinion which shall be clearly labelled as such and kept entirely distinct from regular broadcasts of news or analysis and opinion.

It is recognized that the full, fair and proper presentation of news, opinion, comment and editorial is the prime and fundamental responsibility of the broadcast publisher.

RTNDA Code of (Journalistic) Ethics, Article 2

News and public affairs broadcasts will put events into perspective by presenting relevant background information. Factors such as race, creed, nationality or religion will be reported only when relevant. Comment and editorial opinion will be identified as such. Errors will be quickly acknowledged and publicly corrected.

The Regional Council members viewed a tape of the program in question and reviewed all of the correspondence. The members agreed that the broadcast did not contravene the above-noted codes.

The Accuracy of the Report

The only issue in contention with respect to the accuracy of the report is whether the building featured in the news item is indeed located in the neighbourhood of Parkdale. Maps were presented by the complainant and contested by the broadcaster. The Council takes no position, however, on the correctness of either the complainant's or the broadcaster's position. Apart from the fact that the CBSC is not an evidence-gathering body, as stated in *CFRN-TV re Eyewitness News* (CBSC Decision 96/97-0149, December

16, 1997) and other CBSC decisions, the point is essentially moot. Even the complainant stated in her letter that “the question of boundaries is ... academic”. Despite that concession, the Council believes that it should point out, in this case, as it did in *CITY-TV re CityPulse (Neighbourhood Drug Bust)* CBSC Decision 96/97-0216, February 20, 1998), that anyone viewing the first newscast objectively would not have arrived at the same conclusion regarding the stigmatization of Parkdale.” The issue here is the action of the landlord and the practice of tenant-shuffling. Few, if any, would know or even care whether 46 The Queensway is civically located in Parkdale or High Park. If a broadcaster inadvertently recounted a news story about Basque terrorists and carelessly reported that Barcelona was in Italy, could this possibly be a reason for any sanction in terms of the broadcaster Codes? Surely not. Barcelona is where it is, just as 46 The Queensway is. At worst, placing either location elsewhere could be embarrassing for the broadcaster, but certainly not an offence under any Code.

The Issue of Stigmatization by the Media

The complainant’s main contention is that “it is not necessary to mention a particular community in relation to negative issues, and especially so when the issue is not germane to that neighbourhood.” The Council disagrees with the complainant on this point. In the Council’s opinion, a broadcaster is entitled to make the determination of whether viewers would be likely to have an interest in having news items contextualized in a manner which is objective and has nothing to do with discrimination on any of the enumerated bases in the human rights provision of the *CAB Code of Ethics*, which is not the case here. Regarding the complainant’s precise concern about “neighbourhoodism”, the Council finds it sufficient to reiterate its conclusions on this issue stated in *CITY-TV re CityPulse (Neighbourhood Drug Bust)* (CBSC Decision 96/97-0216, February 20, 1998):

Parkdale was not the broadcaster’s issue; it was the drug bust. By identifying the Police Division responsible for the bust, street designations and other details, CITY-TV provided relevant *peripheral* Metro Toronto geographical information. Even in this connection, Parkdale was not the central issue. If anything, Parkdale residents were given credit for aiding in the multiple arrests over the course of the previous 60 days. The Council finds no bias or even any imbalance, much less a breach of either of the Codes of Ethics in this regard.

In the present instance, the Ontario Regional Council applies the same finding by analogy. The broadcaster has breached no Code in its presentation of the story.

Broadcaster Responsiveness

In addition to assessing the relevance of the Codes to the complaint, the CBSC always assesses the *responsiveness* of the broadcaster to the substance of the complaint. In this case, the Council considers that the broadcaster’s response addressed fully and fairly all

the issues raised by the complainant. Nothing more is required. Consequently, the broadcaster has not breached the Council's standard of responsiveness.

This decision is a public document upon its release by the Canadian Broadcast Standards Council. It may be reported, announced or read by the station against which the complaint had originally been made; however, in the case of a favourable decision, the station is under no obligation to announce the result.