



MEMBER'S RESOLUTION

Date:	FEBRUARY 22, 2011 – COMMITTEE OF THE WHOLE
Title:	LICENSING OF PRIVATE SNOW PLOUGH OPERATORS
Submitted by:	Councillor Alan Shefman

Whereas each year residents of the City of Vaughan are "defrauded" by individuals who offer snow-ploughing services yet do not carry out the agreed upon service, and

Whereas the City requires a variety of services to be licensed,

It is therefore recommended that staff review the issue of residential snow removal services to assess the utility and viability of requiring a municipal license to operate such a service in the City of Vaughan commencing in the Fall of 2011.

Respectfully submitted,

Councillor Alan Shefman

Attachments

1. Toronto Star Article (Landscaper disappears as prepaid snow removal jobs not cleared)
2. York Region Newspaper Group Article (Thornhill residents feel ripped off)

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Don't get snowed by shoveling fraudsters

February 01, 2011

Louise Brown Staff

It would be the ultimate snow job — charging dozens of GTA residents some \$7,400 for snow removal that allegedly was never done — and police are warning a snow-scared city to watch who they hire to dig them out.

Hint: If the snowplow guy demanding money up front shows up with no shovel, think twice before paying, suggested Det. Constable Chris Devereux of the Toronto Police Service. He was referring to a criminal investigation into a company that promised snow removal across Mississauga, Toronto, Vaughan and Richmond Hill, but never showed up.

"He was very charming, but some of the complainants now realize he showed up at their door with no truck and in one case apparently left the neighbourhood by cab," which Devereux gently hinted should have set off alarm bells.

Since Toronto police laid eight counts of fraud under \$5,000 against Elman Iakhiliev, 30, of Toronto on Jan. 25, dozens more people have called police with complaints about the same company, bringing the total to 74 by Tuesday night. Iakhiliev is set to appear in court on Feb. 14.

Police also are aware of complaints about a snow removal firm that cleared snow for customers at least once but then vanished, a situation Devereux said is a matter for civil courts. If a company does at least some work, they're not subject to criminal charges.

One consumer website carries a growing blizzard of bad reviews about Thornhill's Falconstone Landscaping and Construction's snow removal service from people outraged at being left snowbound after only one or two jobs.

Marnie Tolensky said she and her husband paid Falconstone \$344 to clear and salt their Thornhill home's driveway and sidewalk, but he came once in December and then never again, and his phone has been disconnected and his website taken down.

"I guess this kind of situation is always a risk when you prepay for a service," she said, "but the fact that he appears to have deliberately taken so much money is just wrong."

Irwin is another Falconstone customer — he asked the *Toronto Star* not to use his last name not because "people will think I was an idiot.

"But the guy was brilliant — he had flyers and undercut everybody else by \$50 and said he had to collect the money up front to cover costs.

But after Christmas he stopped coming, his voice mail was full and the fax number he gave belonged to an optician."

Yet it's not common for snow removal companies to collect all the money at the start of the season to cover their expenses, said Mikhail Evgrafov, owner of Monster Plowing Co., who expected his five trucks will be on the streets by sunrise Wednesday.

"Your best protection is to ask for several references and call them before you pay anything or sign a contract," advised Evgrafov, who started his business three years ago and has more than 100 clients.

"We offer unlimited service for the season based on our estimate of how many times it will snow, and we guarantee we'll clear the snow within 12 hours of an inch falling," he said.

"But most time guarantees go out the window once you hit four inches — and we're expecting a foot. That's a lot of snow."

Thornhill residents feel ripped off

By Kim Zarzour
February 3, 2011

Dozens — possibly hundreds — of Thornhill and Richmond Hill residents have discovered they have been snowed by companies that promised to clear their driveways this winter, then disappeared.

Ontario's Ministry of Consumer affairs is reporting a significant increase in complaints about snow removal services: 32 complaints and inquiries so far this month compared to 15 for all of 2010.

Homeowners, such as Thornhill's Lynn Krohmalnik, are left to deal with this week's big snowstorm on their own.

"I live with my mother and she's 92 and has two canes. I walk with a cane," said Ms Krohmalnik, who managed to get to work yesterday morning despite her snow-buried driveway.

She says she signed a contract with the company, Falconstone Landscaping and Construction, after a flyer inserted in her door advertised rates cheaper than the company she used last year.

She paid the firm with two cheques, each \$141.25. Both were cashed.

An operator cleared the drive once, in November. Then another storm in January left her snowbound.

Unable to reach the company, she called York Regional Police, who told her because the company had provided service once, they could not lay fraud charges.

"They told me I should go to small claims ... but I've done that before and I was awarded the costs but never saw the money. Who knows how many other people he did this to?"

In fact, there are indications the company Ms Krohmalnik dealt with took money from possibly 1,800 customers, some living in Florida for the winter and wanting their homes maintained, others who are elderly and have no alternative.

Stan Corbett, who also paid \$300 to the company for driveway plowing and

recommended the company to his brother, said he tried unsuccessfully to contact the owner. Phone calls indicated the voice mailbox was full and the website says it is under construction. A visit to the owner's Thornhill apartment building led him to believe that many other ripped-off customers had been looking for the owner.

"We are left with the bulk of winter snowfall probably still to come," he said. "We are scrambling, looking for a company we can now hire. The ones I checked charge a full season's price for half a season."

Thornhill is not unique in experiencing snow plow scams. Last year saw a flurry of activity on consumer websites with respect to a Markham-based company, while others in Richmond Hill say they've been scammed by a different company this winter.

Jennifer Pyke said she paid \$100 to a man who was selling the service door-to-door in December. Because his address was near her Richmond Hill home and he was driving a snowplow truck and had professional-looking



Snow job. Especially frustrated during this snowy week, Lynn Krohmalnik (background) is of one of several Thornhill residents feeling ripped off by snow removal operators leaving her and her elderly mother, Pearl Labow, in the lurch, since they can't shovel snow themselves. *Staff Photo/Susie Kockerscheidt*

letterhead, "I figured they were legit. We're getting older now and it's good to have the driveway plowed." Her neighbours also purchased the service, she said, but the truck only came once, did a lousy job, then never returned.

There have been troubles in Toronto, too, where police are requesting the public's assistance with an ongoing fraud investigation into a pre-paid snow-removal scheme targeting seniors. Investigators have received more than 60 complaints of fraud throughout Toronto and in Mississauga, Vaughan, Richmond Hill and Thornhill.

There are several active websites and chatroom discussions about a Thornhill man whose landscape company disappeared this winter after taking money and plowing some, but not all, driveways.

York police Sgt. Gary Phillips said Tuesday The Liberal's phone call about snow plow scams was the first he'd heard about the issue, yet Toronto police are aware of complaints from southern York Region concerning Falconstone.

A voice mail recording for Det. Constable Chris Devereux of the Toronto Police 32 division fraud unit said an investigation is under way into a Toronto snow service, but not the Thornhill-based company. That, he said, is a civil matter.

It all amounts to a confusing mishmash of information for people who just want to get out of their driveway after a snowfall.

In Ottawa, snow plow contractors are required to obtain a licence from the city, but Markham, Richmond Hill, Vaughan and Toronto do not licence operators, which is why police recommend customers be careful.

If you've entered a contract and the company doesn't show up, Sgt. Phillips said the matter could be considered fraud, but if the company does perform the service, even once, it is a matter for the civil courts.

After almost 20 years in the business plowing locations from Newmarket south to Hwy. 401, Brad Kempen of Kempen's Landscaping says his customers come by word of mouth. He recommends those searching for reliable companies look for recommendations for companies providing full-season service.

"You don't want someone who just sticks flyers in mailboxes to see what happens. And a lot of times people get sucked in with the lowest price."

Jennifer Pyke, who was stuck clearing a path to the mailbox by herself yesterday morning, has one last bit of advice: "If it seems too good to be true, then it probably is."

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