



Office of the
Saskatchewan Information
and Privacy Commissioner

REVIEW REPORT 197-2026

Village of Lucky Lake

July 13, 2026

Summary: The Applicant submitted an access to information request to the Village of Lucky Lake (Village). The Village did not respond. The Applicant applied to the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) to review the non-response.

The Village requested that the Commissioner exercise the jurisdictional relief contained within sections 39(2)(a), (b) and (c) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.

The Commissioner concluded that the threshold had been met for a finding of vexatious behaviour pursuant to section 39(2)(a) of *LA FOIP*. The Applicant has abused the right of access under *LA FOIP*. The Applicant's request for review submitted to OIPC is discontinued pursuant to section 39(2)(a) of *LA FOIP*. The Commissioner recommended that the Village take no further action with respect to this matter.

I BACKGROUND

[1] On April 10, 2026, the Applicant made the following access to information request to the Village of Lucky Lake (Village) for meeting minutes:

Meeting Minutes

November 1994

December 1994

January 1995

August 1996

September 1996

October 1996

- [2] On May 20, 2026, the Applicant contacted the Office of the Saskatchewan Information and Privacy Commissioner (OIPC). The Applicant claimed they had not received a response from the Village.
- [3] On May 26, 2026, OIPC responded to the Applicant by email and advised that a review file would be opened. OIPC advised the Applicant to refrain from further contact with the Village so that the review could proceed. OIPC indicated that the Applicant would be informed of updates as they became available.
- [4] On May 27, 2026, OIPC contacted the Village regarding the Applicant's request of April 10, 2026. The Village acknowledged that it had not provided a formal response to that request and explained that the silence was the result of confusion stemming from the large volume of email received on an ongoing basis from the Applicant. The Village provided two screenshots of its email inbox for the period February to April 2026. The screenshots revealed that the Applicant had emailed the Village no less than 36 times in that timeframe regarding multiple matters, including access requests made in February and March 2026. The Village added:
- We've provided copies of hundreds of documents by e-mail and paper since 2016, and Council considers this [Applicant] vexatious and not of sound mind. We have an e-mail file of approximately 3,700 emails between 2016 and 2026, with about 2,500 of those coming from [the Applicant].
- [5] On June 2, 2026, the Applicant requested a status update from this office. The Applicant stated that if this office was "unable or unwilling" to assist, they intended to ask the Royal Canadian Mounted Police (RCMP) to provide an escort to the Village office in an effort to demand the minutes. The Applicant explained they were "truly scared" of the Village because Village officials had allegedly assaulted a family member in the past. This office assured the Applicant that they would receive updates on this file but at this time there was no information to relay.
- [6] Further on June 2, 2026, the Applicant emailed this office three more times after the above interaction. One email revisited the Applicant's desire for an RCMP personal escort to the

Village office. Two more emails explained the Applicant's background for requesting the meeting minutes. No less than five governmental and police organizations were copied in each email.¹

- [7] On June 3, 2026, this office received several more email messages from the Applicant. Curiously, the Applicant asked for OIPC permission to permit an RCMP escort to the Village office to assist in obtaining the meeting minutes. There were also allegations on the part of the Applicant that this office was either unable or unwilling to assist. Again, the Applicant copied at least five organizations on each email correspondence. OIPC assured the Applicant that we were working on an early resolution and that the repeated email correspondence was unhelpful and posed a delay to our process.

- [8] Between June 4 and June 11, 2026, the Applicant sent six more additional emails to OIPC continually raising the issue of an impromptu visit to the Village office with an RCMP escort. We did not respond to these emails as the Applicant had been warned to cease with these distracting communications.

- [9] On June 8, 2026, the Village confirmed that it was applying to OIPC for a discontinuance of the Applicant's request for review.

- [10] On June 12, 2026, the Village supplied this office with its application for a discontinuance with supporting documentation.

- [11] On June 12, 2026, OIPC shared the Village's application for a discontinuance and the supporting documentation with the Applicant. The Applicant was invited to consider the materials and to provide a response to OIPC by June 19, 2026.

¹ The organizations that were copied on the emails to this office included: Ombudsman Saskatchewan; the Provincial Mediation Board; the Minister of Government Relations; Information Services Corporation and the Saskatchewan Urban Municipalities Association. The Town of Shaunavon has also been copied on emails between the Applicant and this office more recently.

[12] The Applicant responded that same day disputing the Village's submissions. The Applicant submitted that the access request was not "trivial, frivolous or vexatious" because they were confused and concerned. The Applicant again threatened to bring the RCMP to the Village office. Once again, the Applicant's emails to this office were copied to several other organizations within Saskatchewan. The Applicant has never addressed the true merits of the Village application for a discontinuance either in writing or by any other means.

[13] On June 13, 15 and 16, 2026, the Applicant provided OIPC with a variety of documentation that was unrelated to the issue of discontinuance pursuant to section 39(2) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.²

[14] On June 17, 2026, the Applicant was cautioned once again with respect to contacting the Village about the meeting minutes. The Applicant was warned that the preliminary issue for determination at this stage was solely the issue of discontinuance.

II ANALYSIS

1. Jurisdiction

[15] The Village is a "local authority" under section 2(1)(f)(i) of *LA FOIP*. This request to discontinue from the Village is being considered under OIPC's jurisdiction as afforded by section 39(2) of *LA FOIP*.

2. The preliminary application under section 39(2) of LA FOIP

[16] The prime objective of *LA FOIP* is to provide individuals with a right of access to records in the possession or control of a government institution/local authority. The Supreme Court

² [*The Local Authority Freedom of Information and Protection of Privacy Act*](#), SS 1990-91, c. L 27.1, as amended.

of Canada has found this right to be quasi-constitutional in importance.³ *LA FOIP* was enacted to ensure that local authorities do not function under a hidden veil of secrecy. It is accepted that the public has a right to know how local authorities act on their behalf. All of this is subject to the legal exemptions that are contained within *LA FOIP*. The relevant principles were explained by Justice Cromwell writing for the majority of the Supreme Court of Canada in *Merck Frosst Canada Ltd. v. Canada (Health)*:⁴

[22] ...the overarching purpose of the Act is to facilitate democracy and that it does this in two ways: by helping to ensure that citizens have the information required to participate meaningfully in the democratic process and that politicians and officials may be held meaningfully to account to the public.

[17] The Village confirmed that as a preliminary matter it would like this office to consider discontinuing the Applicant's request for review of May 20, 2026 under sections 39(2)(a), (b) or (c) of *LA FOIP*. These sections state:

39(2) The commissioner may refuse to conduct a review or may discontinue a review if, in the opinion of the commissioner, the application for review:

(a) is frivolous or vexatious;

...

(b) is not made in good faith; or

(c) concerns a trivial matter.

[18] Subsections 39(2)(a), (b) and (c) of *LA FOIP* provide that the Commissioner may refuse to conduct a review or discontinue a review already in progress where the Commissioner is

³ [*Canada \(Information Commissioner\) v Canada \(Minister of National Defence\)*](#), 2011 SCC 25, [2011] 2 SCR 306 at paragraphs [40] and [79].

⁴ [*Merck Frosst Canada Ltd. v. Canada \(Health\)*](#), 2012 SCC 3, [2012] 1 SCR 23 at paragraph [22]. In this case the Supreme Court was asked to consider an access request for information that had been provided to the federal government by a manufacturer as part of the drug approval process. The requisite statute at the center of that case was the federal [*Access to Information Act*](#), R.S.C 1985, c. A-1, as amended.

of the opinion the request for review is frivolous or vexatious, not made in good faith, or concerns a trivial matter. This office has offered the following definitions:⁵

- A request is vexatious when the primary purpose of the request is not to gain access to information but to continually or repeatedly harass a local authority to obstruct or grind a local authority to a standstill. *LA FOIP* must not become a weapon for disgruntled individuals to use against a local authority for reasons that have nothing to do with the Act. Some examples of vexatious proceedings are to use them as collateral attacks, to initiate or escalate proceedings that are hopeless, to persistently engage in inappropriate behaviour, to make unsubstantiated allegations of conspiracy or misconduct and to use scandalous or inflammatory language.
- “Good faith” means that state of mind denoting honesty of purpose, freedom from intention to defraud, and means being faithful to one’s duty or obligation. Good faith is an intangible quality encompassing honest belief, the absence of malice and the absence of design to defraud or take advantage of something. “Not in good faith” means the opposite of “good faith”, generally implying or involving actual or constructive fraud, or a design to mislead or deceive another, or a neglect or refusal to fulfill some duty or other contractual obligation, not prompted by an honest mistake as to one’s rights, but by some interested or sinister motive.
- A trivial matter is a matter that is insignificant, unimportant or without merit. It can be similar to frivolous, but what is trivial to one person may not be to another.

[19] An applicant’s approach and attitude to the access process can be indicative of an underlying motivation that is contrary to the spirit and purpose of the legislation:⁶

[31] While there is some overlap between the concepts in section 39(2)(a) and (b) of *LA FOIP*, prior rulings by other Information and Privacy Commissioner offices across Canada outline that the purpose behind a request is often illustrated more by the Applicant’s actions rather than their words. And in many cases, the exact purpose of the request is not easily discernable, but what is clear is that the spirit and the purpose of the legislation is not the prime motivation behind the request:

⁵ OIPC [Review Report 221-2025](#) at paragraph [19]. The definition of what may constitute a “trivial matter” is found in OIPC [Disregard Decision 225-2024](#) at paragraph [28].

⁶ OIPC [Review Report 044-2025](#) at paragraph [31].

Past orders of this office have recognized, however, that the conduct of requesters often gives a much more accurate picture of their purpose than do their words. Consequently, as is suggested by Order M-864, adjudicators have relied on evidence of the requester's use of the freedom of information process to accomplish objectives unrelated to access in order to conclude that they have abused the right of access. (See Orders M-947 and MO-1519)

[20] The Village submitted that the Applicant's conduct constitutes vexatious conduct, which is where we begin our analysis. A finding that the Applicant is vexatious is sufficient to discontinue a request for review under section 39(2)(a) of *LA FOIP*. The catalog of possible vexatious behaviours applies equally to civil litigation as well as to matters that are brought before regulators. Those characteristics include:⁷

1. The launching of a collateral attack to a matter that has previously been decided;
2. The repeated launching of meritless reviews;
3. The launching of reviews that escalate;
4. The launching of reviews grounded in improper purposes;
5. The initiation of reviews to enforce alleged rights of third parties;
6. The launching of a review in the face of failure to honour court-ordered obligations;
7. The persistent launching of unsuccessful reviews;
8. The use of inappropriate behavior/conduct in the course of proceedings;
9. The making of unsubstantiated allegations of conspiracy, fraud, and misconduct;
10. The use of scandalous or inflammatory language; and
11. Advancing Organized Pseudolegal Commercial Arguments.

⁷ [*Chutskoff v. Bonora*](#), 2014 ABQB 389 at paragraph [92]. Adopted in [*Ryan v Remai Holdings*](#), 2020 SKQB 133 at paragraph [47] and [*Kaiser v RM of Baidon No. 131*](#), 2018 SKQB 292 at paragraph [99].

[21] Section 39(2)(a) of *LA FOIP* includes reference to the term “frivolous”, which is a term typically associated with meritless matters, or matters that lack a legal or factual basis, or that have little weight or importance.⁸ The terms “frivolous” and “vexatious” are related.

[22] Conduct that is frivolous or vexatious can be considered an abuse of the right of access to information. An abuse of the right of access is when an applicant uses access provisions in *LA FOIP* in a way that is contrary to its principles and objects.⁹ What follows is a discussion of the concepts that must be considered in an analysis that addresses whether an applicant is approaching the access to information regime in a frivolous, vexatious manner or simply abusing the right of access.¹⁰

a. The Number of Communications Associated with Access Requests

[23] Requests become excessive when the volume of requests interferes directly with the operations of a local authority. To interfere with operations, the volume of requests must obstruct or hinder the range of effectiveness of the normal activities of a local authority. This includes requests that are systematic or repetitious, which we define as follows:¹¹

- “Repetitious” requests are ones made two or more times.
- “Systematic” requests are ones carried out according to a plan or method. It includes a regular pattern of conduct that is regular, deliberate, methodical, arranged and/or conducted according to a system. Systematic requests often overlap or repeat or include repeated requests for the same information. They also include requests that are related to record or information that was previously related, or that relate to various aspects of the same issue.

[24] The Village submitted that the Applicant has emailed the Village office approximately 2,500 times since 2016, averaging 250 emails per year. The Village provided screenshots

⁸ OIPC [Review Report 016-2026 \(Part I\)](#) at paragraph [26].

⁹ OIPC [Disregard Decision 122-2021](#) at paragraph [16].

¹⁰ OIPC [Review Report 221-2025](#) at paragraph [22].

¹¹ OIPC [Disregard Decision 285-2020](#) at paragraphs [17] and [18].

of its email inbox for the February to April 2026 period. The screenshots show that the Applicant emailed the Village about the current access request a total of 27 times. The Village also provided a snapshot of several email folders that had to be created to track the Applicant's requests. The Village explained:

Also attached is a screenshot of the file location with folders for each request [the Applicant] has made since 2018. This is the quickest way to show you the actual document requests; any labelled "not sent" were times that [they] requested multiple pages of multiple years of minutes or documents and we quoted [them] the cost at \$0.25 per page, and [they] chose not to pay for the documents. We have a large paper file with paper copies of e-mails and information sent, but that was under the past administrator – he chose to print everything rather than keep it digitally. We've never taken the time to enter it into a spreadsheet as we've spent countless hours already on this person. I've willingly answered most of [their] questions in order to avoid a formal document request, or to help [them] understand; if I hadn't I'm sure there would be at least twice as many formal requests.

- [25] The Village did not specify the exact number of total access requests the Applicant has made since 2016, or the exact nature of each of the 2,500 emails sent to the Village by the Applicant. Still, the volume of emails from the Applicant is excessive and the work that has been generated by the Applicant is equally excessive. The volume of emails is well beyond the resources and capabilities of a small village with limited resources. The Applicant began to mirror a similar approach with our office as well. The Applicant has sent an email to the Village and then within minutes re-sends the same message to this office. On June 2, 2026, the Applicant repeatedly asked our intake officers about an RCMP escort to the Village. We note that such a suggestion is outside the jurisdiction of this office.
- [26] An applicant that repeatedly emails on the same topic and copies numerous parties on the same topic to both a stakeholder and this office, allow for a conclusion that the conduct is repetitious and systematic.

b. The Nature and Scope of the Requests – Collateral Issue Previously Decided

- [27] The Village has satisfied this office that the Applicant has sent repetitious enquiries and made numerous access requests over the years with respect to an issue that was resolved

by the Court of King's Bench of Saskatchewan in 2021. In this case, the Applicant and their spouse were the plaintiffs in a lawsuit. The defendants to the lawsuit included: MLT Aikins LLP, the Canadian Imperial Bank of Commerce, Wells Fargo Financial Corporation of Canada, Pro Bono Law Saskatchewan Inc., Deloitte Restructuring Inc., the Village of Lucky Lake and several past and present Village councillors.¹² As plaintiff in that lawsuit, the Applicant alleged several civil complaints: Loss of Possession of Property; Defamation; Breach of Contract; Fraud; Forgery; Conversion; Negligence and Wrongful Death. A fulsome review of the legal principles resulted in the plaintiff's claim being statute barred by the passing of many limitation periods associated to each claim.

[28] The Applicant has repeatedly noted that the access request in this matter is linked to the same land transfer that was the central focus of the lawsuit. On March 3, 2026, the Applicant filed yet another access to information request with the Village for a copy of the resolution with respect to the land transfer in question that dates to 1996.

[29] The access to information requests that flow from the 1996 land transfer serve no viable purpose in law and instead frustrate the administrative office of the Village.

c. Use of Inappropriate Language and Inappropriate Communications

[30] As we have established, the Applicant has sent multiple emails to the Village in relation to their request for the 1996 meeting minutes and Village resolution connected to the 1996 land transfer. The Applicant has also sent multiple emails to this office, at times several times a day, with respect to this access request. Between June 3 and 18, 2026, there were 13 such communications. This is despite this office instruction that such communications were unhelpful and a request that they cease. The emails have continued.

[31] In June of 2026, the Applicant began to email pleas for assistance in obtaining the 1996 meeting minutes directly to the Saskatchewan Ombudsman and to the Minister of Government Relations. The Applicant has continued copying this office as well as other

¹² See 2021 SKQB 323 (December 17, 2021) Elson J.

organizations. To date, we count six such emails sent separately to Ombudsman Saskatchewan and to the Minister of Government Relations – there will likely be more.

[32] In several emails sent to the Minister of Government Relations and Ombudsman Saskatchewan between June 23 and July 3, 2026, the Applicant continued with allegations against the Village. In a July 3, 2026, email to both organizations, the Applicant claimed that the Village added their name to the land transfer authorization form “without my knowledge or consent, or for private gain and personal unjust enrichment for themselves and others at my expense.”¹³

[33] Concerning also is the Applicant’s allegation that the Village administrator and Village officials constitute a threat to the Applicant’s safety. On June 25, 2026, the Applicant sent an email to the Village and copied our office and the other organizations. In this email the Applicant included a chain of forwarded emails dating back to May 5, 2026. A consideration of the email thread revealed that on May 21, 2026, the Applicant accused the Village administrator of having made a verbal threat to the same family member who was allegedly assaulted by Village officials on an unknown date. In a June 1, 2026, email, the Applicant claimed:

...given the threat you made to my [family member] in March in the town office and the vicious beating [they] endured with a baseball bat involving the [Village officials], i may have the RCMP accompany me to ensure my safety to view and take copies of the meeting minutes.

[34] The Applicant has not informed this office whether any *Criminal Code* charges were ever laid in response to the alleged assault, or if the matter was reported to the authorities.

[35] We conclude that the threshold has been met to make a finding of vexatious behaviour pursuant to section 39(2)(a) of LA FOIP. The Applicant has abused the right of access

¹³ *Ibid*, see paragraphs [112] to [117] where the court found, in spite of a “murky” pleading of evidence, that the plaintiff must have had constructive knowledge of the loss of possession of the property and that she did not exercise reasonable diligence to commence a proceeding to remedy the loss.

under *LA FOIP*. This office will discontinue this matter which has not yet progressed to notice.

- [36] We close by mentioning that going forward, if the Applicant continues to file access requests with the Village that are repetitive and that focus on the 1996 land transfer theme that has previously been adjudicated by the King's Bench Court of Saskatchewan, a similar application and a similar remedy may follow.

III CONCLUSION

- [37] The threshold has been met for a finding of vexatious behaviour pursuant to section 39(2)(a) of *LA FOIP*. The Applicant has abused the right of access under *LA FOIP*.
- [38] The Applicant's request for review submitted to OIPC on May 20, 2026, is discontinued pursuant to section 39(2)(a) of *LA FOIP*.
- [39] I recommend that the Village take no further action with respect to this matter.

Dated at Regina, in the Province of Saskatchewan, this 13th day of July, 2026.

Grace Hession David
Saskatchewan Information and Privacy Commissioner