

CHIEF RETURNING OFFICER RULING

Toronto Metropolitan Students' Union 2026 General Elections

The following is a ruling of the CRO relating to the 2026 TMSU General Elections.

The rules and procedures of the election are determined by the TMSU By-Laws and the Election Procedure Code, which can be found here: yourtmsu.ca/election

Ruling Code #	2026TGE009
Date Received:	March 17, 2026
Date of Ruling:	April 23, 2026
Related Rulings	N/A
Type of Decision	Initial Ruling
Nature of Decision	Violation of the EPC; No Demerit Points
Complainants:	Tisya Jain, Zenny Reyes, Alaa Morshedy, Kaaliyah Grant, and TMSU Member ¹
Candidates:	Youssef Essaafi, Vice President Education Candidate
Alleged Violation in By-laws or the Code	EPC s.8.1.1: Campaigning outside the Campaign Period EPC s.8.1.34.3: Campaigning in restricted areas EPC s.8.1.58: Cross-Campaigning EPC s.9.1.6: Assisting voters by handling devices
Relevant Penalties provided in the Code	EPC s.8.3.5 EPC s.8.3.6

¹ One complainant requested anonymity on the basis that disclosure of their identity may result in negative repercussions. Having regard to the nature of the allegations and prior concerns raised in the administration of TMSU elections, the Office of the CRO finds that this request is reasonable. Pursuant to EPC s.10.3.2, and in accordance with s.10.5.4, the complainant's identity has been redacted and they are referred to as "TMSU Member" in this ruling.



Background

On March 17, 2026, the Office of the Chief Returning Officer received multiple complaints alleging that individuals engaged in vote solicitation during the Voting Period in various locations on campus, including the library.



Three complaints describe substantially similar interactions occurring on March 16, 2026 at approximately 4:00 PM on the 10th floor of the library. In these complaints, students reported being approached by an individual who asked them to vote for a group of candidates, including the respondent, and provided specific names. Two complainants indicated that they proceeded to vote for the named candidates at the time of the interaction before later learning that such conduct was not permitted under the Elections Procedures Code.

Additional complaints describe similar interactions in other areas of the library, including the 7th and 8th floors, where individuals approached students and encouraged them to vote on the spot for multiple candidates. One complaint further alleged that individuals were guiding students through the voting process and, in some instances, handling their devices.

Given the overlap in timing, location, and the candidates named across the complaints, the Office of the CRO determined that it was appropriate to consolidate these complaints into a single investigation and ruling.

On March 18, 2026, the Office of the CRO issued a Notice of Complaint to Youssef Essafi requesting a written response addressing the allegations and whether the individuals described may have been acting on his behalf.

On March 19, 2026, Youssef Essafi provided a written response. The respondent stated that he is running as an independent candidate and does not know the other candidates with whom he was associated in the complaints. He indicated that his outreach during the campaign period was limited to individuals within his existing networks and that he did not authorize any person to campaign or solicit votes on his behalf.

The respondent further stated that he was not aware of any such activity occurring, particularly within a study space, and indicated that he avoided attending campus during the Voting Period.

Evidence



In addition to the complainant statements, the Office of the CRO received a video recording submitted as part of the complaints.

The video depicts an individual's mobile device displaying the TMSU voting page.

The video does not show the full interaction preceding the recording, including any alleged vote solicitation or assistance. The visible portion of the recording is limited to the voting interface on the device.

Audio captured in the video is limited. The only clearly discernible statement is a "thank you" made by the individual recording at the end of the interaction.

Issues

The Office of the CRO identified the following issue for determination:

1. Did the interactions described constitute campaigning under the Elections Procedures Code?
2. If so, did the campaigning occur outside the authorized Campaign Period contrary to EPC s.8.1.1?
3. If so, did the campaigning take place in a restricted area contrary to EPC s.8.1.34?
4. Did the conduct involve impermissible assistance to voters or interference with the voting process?
5. Did the conduct constitute cross-campaigning contrary to EPC section 8.1.58?
6. If violations occurred, can the conduct be attributed to the respondent candidate or to individuals acting on their behalf as a Campaign Team Member or Non-Arm's Length Party?
7. If a violation occurred, what penalty would be appropriate under the Elections Procedures Code?

Findings of Fact

Based on the evidence before the Office of the CRO, the following findings of fact are made:

- Multiple complainants reported being approached by one or more individuals during the Voting Period and encouraged to vote for specific candidates, including the respondent.



- Three complaints describe substantially similar interactions occurring on March 16, 2026 at approximately 4:00 PM on the 10th floor of the library.
- In those interactions, individuals provided the names of candidates and encouraged students to vote.
- At least two complainants proceeded to vote for the named candidates at the time of the interaction.
- Additional complaints describe similar interactions in other areas of the library, including the 7th and 8th floors.
- One complainant reported that an individual handled their phone and provided direct instructions on how to vote.
- The individuals involved in the reported interactions were not consistently identified, and in several cases did not provide their names.
- No evidence was provided establishing that the individuals were acting as Campaign Team Members or Non-Arms-Length Parties associated with the respondent.
- The Office of the CRO issued a Notice of Complaint on March 18, 2026.
- The respondent submitted a written response on March 19, 2026 denying any involvement in or knowledge of the alleged conduct.

Analysis of the Elections Procedures Code

Issue 1: Did the interactions constitute campaigning?

The Elections Procedures Code defines campaigning as any attempt to solicit votes for or against a candidate.

Encouraging students to vote for specific individuals, providing candidate names, and prompting students to cast their ballots fall within the definition of vote solicitation.

On a balance of probabilities, the Office of the CRO finds that the conduct described does constitute campaigning activity.

Issue 2: Did the campaigning occur outside the Campaign Period?

The Elections Procedures Code provides that campaigning is only permitted during the Campaign Period, and the Campaign Period does not overlap with the Voting Period.



The interaction described occurred during the Voting Period, at a time when campaigning is no longer authorized.

Accordingly, given that the conduct described constituted campaigning, it would fall outside the authorized Campaign Period and would engage EPC s.8.1.1.

Issue 3: Did the campaigning take place in a restricted area?

The Elections Procedures Code provides that no campaigning is permitted in designated restricted areas. Section 8.1.34.3 specifically prohibits campaigning in libraries and computer labs.

The complaints describe interactions occurring on multiple floors of the library. On a balance of probabilities, the Office of the CRO finds that the conduct described did occur within a library setting.

Accordingly, the conduct engages EPC s.8.1.34.3.

Issue 4: Did the conduct involve impermissible assistance or interference with voting?

The Elections Procedures Code prohibits candidates and their associates from assisting voters in casting ballots, including providing individualized guidance or handling a voter's device.

The complaints include allegations that individuals provided step-by-step instructions to students and, in some instances, handled their devices while voting. One complainant specifically described individuals taking students' phones and guiding them through the voting process.

The Office of the CRO also reviewed a video recording submitted as part of the complaints. The video shows a voting screen displayed on a student's mobile device and captures a brief portion of the interaction. While the video does not show the full sequence of events or identify who may have assisted the student, it is not inconsistent with the conduct described in the complaints.



On a balance of probabilities, and having regard to the consistency of the complainant accounts, the Office of the CRO finds that impermissible assistance during the voting process did occur.

Accordingly, the conduct described constitutes a violation of EPC s.9.1.6 and related provisions governing interactions with voters during the Voting Period.

Issue 5: Did the conduct constitute cross-campaigning?

The Elections Procedures Code prohibits cross-campaigning, defined as engaging in joint campaigning or otherwise associating multiple candidates together in a manner intended to influence voters.

The complaints consistently describe individuals encouraging students to vote for a group of named candidates within a single interaction.

On a balance of probabilities, the Office of the CRO finds that multiple candidates were promoted together in a coordinated manner within the same interactions.

Accordingly, the conduct constitutes cross-campaigning within the meaning of the Elections Procedures Code.

Issue 6: Can the conduct be attributed to the respondent?

Under the Elections Procedures Code, candidates may be held responsible for violations committed by Campaign Team Members or Non-Arm's Length Parties acting on their behalf.

In this case, the individuals involved:

- were not identified;
- there is no evidence establishing coordination, direction, or authorization by the respondent; and
- no evidence was provided linking the individuals to the respondent through a campaign structure or organized campaign activity.



The respondent denied any involvement in the alleged conduct and stated that he did not authorize any individual to campaign on his behalf.

While the Office of the CRO has considered the respondent's submissions, attribution must be determined on a balance of probabilities based on the full evidentiary record.

Based on the evidence available, the CRO is not satisfied that the conduct described can be attributed to the respondent or to an individual acting on his behalf.

Issue 7: If a violation occurred, what penalty is appropriate?

Because the Office of the CRO is unable to attribute the conduct described to the respondent or to any individual acting on his behalf, no violation of the Elections Procedures Code can be established against the candidate.

Accordingly, no demerit points are issued.

Conclusion Regarding Code Violations

On a balance of probabilities, the Office of the CRO finds that there is insufficient evidence to attribute the conduct described in the complaint to Mustafa Afridi or to any individual acting on his behalf.

As a result, no violation of the Elections Procedures Code is found against the respondent.

Obiter

Although the Office of the CRO has determined that there is insufficient evidence to attribute the conduct described above to the Candidate or to any individual acting as a Campaign Team Member or Non-Arms-Length Party on the Candidate's behalf, the conduct itself raises concerns under the Elections Procedures Code.

The evidence before the Office of the CRO describes multiple instances of in-person vote solicitation during the Voting Period, including within restricted spaces such as the library. Several complaints describe students being encouraged to vote for specific candidates, and in some cases doing so immediately following the interaction.



The Office of the CRO also notes allegations that individuals provided step-by-step voting instructions and, in at least one instance, handled a voter’s device. While the video evidence does not establish that such assistance occurred, the allegations, taken together, describe conduct that would engage serious provisions of the Elections Procedures Code governing the independence of the voting process if established and attributable.

Had the Office of the CRO been satisfied, on a balance of probabilities, that the individuals engaging in this conduct were acting as Campaign Team Members or Non-Arms-Length Parties on behalf of the Candidate, the conduct described would likely have constituted multiple violations of the Elections Procedures Code and would have attracted demerit points, having regard to the nature, frequency, and consistency of the reported interactions.

The Office of the CRO further notes that the respondent did not provide a response to the Notice of Complaint. While a respondent is not required to respond, the absence of a response limits the evidentiary record available to the CRO. As a result, the findings in this ruling are based solely on the complainant evidence and the materials before the Office.

Finally, the Office of the CRO emphasizes that interactions with voters during the Voting Period are strictly regulated. Candidates and their supporters must ensure that their conduct does not involve directing voters, handling devices, or otherwise interfering with the independent casting of ballots.

CRO Decision	
Penalties Issued	N/A
Deadline to Appeal	48 hours

