

ELECTIONS AND REFERENDUM COMMITTEE

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 #	2026TGE-A004
Date Received:	March 18, 2026
Date of Ruling:	April 29, 2026
Related Rulings	N/A
Type of Decision	First instance ERC Ruling
Nature of Decision	Violation of the EPC; No Demerit Points
Complainants:	Zain Baig (Presidential Candidate); Eli Arce (Director Candidate); Karim Sameh; Ali Alfahham
Candidate:	Anthony Gerges, Presidential Candidate
Alleged Violation in By-laws or the Code	EPC s.8.1.1: Campaigning outside the Campaign Period EPC s.9.1.5: Impermissible interactions during the Voting Period (limitations on voting aides) EPC s.9.1.6: Assisting voters by providing direction or guidance in casting a ballot EPC s.8.1.58: Cross-Campaigning EPC s.8.1.7: Distribution of unauthorized campaign materials EPC s.8.1.13: Misleading or unverified campaign communications
Relevant Penalties provided in the Code	EPC s.8.3.5 EPC s.8.3.6



Background

Anthony Gerges (the "Respondent") is a Presidential Candidate in the 2026 Toronto Metropolitan Students' Union General Elections.

On March 18 and March 20, 2026, the Office of the Chief Returning Officer (the "CRO") received multiple complaints alleging election-related misconduct during the Voting Period. These complaints raised concerns regarding both in-person vote solicitation and the dissemination of a mass email communication endorsing the Respondent.

Complaint 1, submitted on March 18, 2026, alleged that a mass email was distributed during the Voting Period promoting the Respondent and raising concerns regarding fairness, potential endorsements, and compliance with the Elections Procedures Code.

Complaint 2, also submitted on March 18, 2026, similarly raised concerns regarding a mass email sent from an account identified as "TMSU Saviour." The complainant alleged that the email referenced alleged corruption within TMSU, suggested affiliations between certain candidates and prior actors, and explicitly endorsed the Respondent along with two other candidates.

The Office of the CRO reviewed the email in question. The email was distributed to a broad list of recipients, including students, candidates, TMSU-affiliated individuals, and external parties. The content of the email encouraged recipients to vote for Anthony Gerges as President and identified additional candidates for director positions.

On March 20, 2026, the Office of the CRO received additional complaints alleging in-person vote solicitation during the Voting Period.

Complaint 3 alleged that an unidentified individual approached students on the second floor of the Ted Rogers School of Management at approximately 2:00 PM, displayed a QR code, and encouraged them to vote for the Respondent. The individual reportedly identified himself by name and referenced the Respondent's familial connection to a former TMSU President.



Complaint 4 alleged that, during the Voting Period, an individual approached a student, presented a QR code, and guided the student through the voting process, resulting in the student casting a vote for the Respondent and another candidate. The complainant described the interaction as pressuring and stated that they were not aware at the time that such conduct was not permitted under the Elections Procedures Code.

The complaints relating to in-person interactions describe similar patterns of conduct, including:

- approaching students during the Voting Period;
- encouraging or directing students to vote for specific candidates;
- displaying QR codes linked, or alleged to be linked, to the voting portal; and
- facilitating or influencing on-the-spot voting.

As further set out below, these complaints involved numerous very complex issues.

Pursuant to EPC s.10.2.2, where the CRO is unable to make an initial ruling, complaints can be referred to the Elections and Referenda Committee (the “ERC”) for determination within a reasonable time frame.

In accordance with this provision, the CRO formally referred the complaints underlying this ruling to the ERC for initial rulings and provided all relevant materials, including complaints and supporting evidence, for the Committee’s consideration.

Evidence Considered

The ERC considered the following evidence in relation to the complaints against the Respondent:

1. Written complaints submitted during the Voting Period;
2. The mass email distributed from the account identified as “TMSU Saviour”;
3. The content, timing, and distribution of the email;
4. The identities and roles of the complainants within the election;
5. The Respondent’s written response to the Notice of Complaint; and
6. The consistency and overlap between complainant accounts and the broader context of complaints received during the 2026 TMSU General Elections.

1. Complaint 1 – Zain Baig (March 18, 2026)



Complainant 1 is Zain Baig (“ZB”), a Presidential Candidate in the 2026 TMSU General Elections.

ZB submitted a complaint regarding a mass email distributed during the Voting Period. The complainant raised concerns regarding the impact of the email on the fairness of the election and the potential implications of its content on candidate perception and compliance with the Elections Procedures Code.

The complaint identified the Respondent as one of the candidates referenced in the email.

The complainant also requested to have a call with the Office of the CRO on March 18, 2026, to discuss the complaint filed. The call was scheduled for March 19, 2026, at 12:00 PM. During that Google Meet call, ZB stated that he thought it believed that this email likely had “a very significant impact on the number of votes that Anthony may have gotten.” He also stated that he believes that the email “significantly undermined the election process,” and “sending an email like [the TMSU Saviour email] [...] during the last day of the voting period is very significant.”

ZB also mentioned that the email was addressed by the Communications Coordinator, as directed by the Office of the CRO “four hours later, with only 20 minutes left in the actual voting period.” ZB believes that, by that time, “the damage may have already been done.”

2. Complaint 2 – Eli Arce (March 18, 2026)

Complainant 2 is Eli Arce (“EA”), a Director Candidate in the 2026 TMSU General Elections.

EA submitted a complaint regarding the same mass email distributed from an account identified as “TMSU Saviour.” While the complaint was not directed solely at the Respondent, it referenced the Respondent by name as one of the candidates endorsed in the email.

The complainant raised concerns that:

- the email referenced alleged corruption within TMSU;
- the email suggested affiliations between certain candidates and prior actors; and
- the endorsement of specific candidates, including the Respondent, could reasonably influence voter perception.

The complainant further expressed concern that candidates not referenced or endorsed in the email could be perceived negatively as a result of the communication.



3. Evidence Relating to the “TMSU Saviour” Email

The ERC reviewed the email in question.

The email was distributed to a broad audience, including students, candidates, and individuals connected to the TMSU community. There were multiple emails sent, each email with different recipients. The Office of the CRO received three copies of the email; however, other members of TMSU staff received 4.

The content of the email:

- referenced alleged corruption within TMSU;
- referred to associations between certain individuals and prior TMSU actors; and
- explicitly endorsed specific candidates, including the Respondent.

The full email is as follows:

Hello members of the TMU community,

This is a critical moment.

After months of persistence, a \$20 million civil lawsuit has now been filed over the alleged misuse of student funds within TMSU. These are student dollars, our dollars, and they must be recovered in full.

Search warrants have already been executed. Electronic devices have been seized from individuals connected to this matter. The evidence recovered from those devices is expected to play a key role in ongoing investigations and potential further legal action.

Despite all of this, the same network associated with Ali Yousaf is actively attempting to regain control of TMSU in this election.

Students should be aware that the following candidates are being backed by Ali Yousaf and his corrupt network:

Executive Candidates

- President: Joseph Yoosefi
- VP Operations: Mustafa Afridi
- VP Education: Muaaz Alam



- VP Equity: Muhammad Vehra
- VP Student Life: Aadreeka Srivastava

Board of Directors Candidates

- FCS Director: Abraham Ahmad
- Engineering Director: Rhakesh Uthayakumar
- TRSM Director: Mezhgan Siddiqi
- Science Directors: Sakina Haider, Shoaib Sheriff

Over the past two days, volunteers directed by Muhammad Awais, Dayan Imran and Mustafa Chaudhary have been actively soliciting votes in an effort to secure a two-thirds majority. Ali Yousaf himself has been directly managing aspects of these campaigns. Moreover, the corrupt network strategically withdrew certain executive candidates to bypass the election interference claim. They also made all their candidates without a slate to avoid any heat. On the ground, individuals including Mohammad Awais, Dayan Imran, and Mustafa Chaudhary were observed in the DCC building instructing campaign volunteers yesterday. This activity can be verified through CCTV footage.

All of these candidates maintain close personal relationships with individuals such as Nadir, Rohaan, Awais, and Naya Haj.

This is not coincidence. This is coordination.

Several of these Board of Director candidates are in direct contact of Ali Yousaf alias Jimmy. He has got a new phone number which will be provided to MNP to keep a track of those conversations. This specific strategy has been put in place to ensure even if executive results are challenged or overturned, control can still be maintained through the Board.

WE HAVE OBTAINED CRITICAL EVIDENCE ON ALI YOUSAF AND HIS NETWORK INTERFERING WITH THE CURRENT ELECTIONS AND MANAGING THE ABOVE CANDIDATES. THIS IS IN VIOLATION OF THE COURT ORDERS AND THEREFORE, WE DEMAND IMMEDIATE ACTION ON THIS CRIMINAL.

Students deserve better than this.



You deserve transparency. You deserve accountability. You deserve leadership that is independent and acts in the best interest of students—not one influenced by past misconduct.

After everything that has come to light, this election is your opportunity to decide the future of TMSU.

The time has finally come to vote for the one who deserves to be the CEO of TMSU. We all want you to admit the hardships we all went through and ask you to vote for Anthony Gerges as your next TMSU PRESIDENT. Your vote will allow us to keep criminals away from our union.

Also don't forget to vote for Director Candidates: Maria Fatkhullin, Tammana Billing.

Today is the final day to vote.

Do not sit this out.

Make your voice heard and protect your student union.

CRITICAL EVIDENCE ON ALI YOUSAF'S INTERFERENCE AND BACKING CANDIDATES IN THE ELECTIONS WILL BE SHARED WITH MNP. WE DEMAND IMMEDIATE COURT ACTION ON THIS CRIMINAL LOOTING STUDENT FUNDS.

Regards,
TMSU Saviour

The email was sent during the Voting Period on March 18, 2026 at or around 1:00 PM. Multiple emails were sent with the same content to different recipients.

4. Complaint 3 – Karim Sameh (March 20, 2026)

Complainant 3 is Karim Sameh (“KS”). KS has no known connection to the 2026 TMSU General Elections.

KS reported that at approximately 2:00 PM on the second floor of the Ted Rogers School of Management, they were approached by an unidentified individual holding a QR code.



The complainant stated that the individual encouraged them to vote for the Respondent and referenced that the Respondent was the brother of a former TMSU President. The complainant declined to vote and observed the individual approaching other students.

The individual identified himself by first name only. No further identifying information was provided.

5. Complaint 4 – Ali Alfahham (March 20, 2026)

Complainant 4 is Ali Alfahham (“AA”). AA has no known connection to the 2026 TMSU General Elections.

AA reported that during the Voting Period, at approximately 2:00 PM on the second floor of the Ted Rogers School of Management, they were approached by an individual who presented a QR code.

The complainant stated that the individual guided them through the voting process and influenced them to vote for the Respondent and another candidate. The complainant described the interaction as pressuring and indicated that they were not aware at the time that such conduct was not permitted under the Elections Procedures Code.

The individual was identified by first name only. No further identifying information was provided.

6. Attribution and Identification

The individuals described in Complaints 3 and 4 were identified by first name only. No further identifying information was provided, and no evidence was submitted linking these individuals to the Respondent as campaign team members or Non-Arms-Length Parties.

The ERC considered whether the conduct described could be attributed to the Respondent. Based on the evidence before it, the ERC is not satisfied, on a balance of probabilities, that the individuals engaged in the conduct were acting on behalf of, or under the direction of, the Respondent.

Respondent’s Response

The Respondent provided a written response to the Notice of Complaint on March 18, 2026.



In their response, the Respondent stated that they had no prior knowledge of the “TMSU Saviour” email before it was distributed and became aware of it only after receiving it.

The Respondent further stated that they did not:

- coordinate, authorize, request, or instruct any person to send the email;
- have any involvement in drafting, approving, or distributing the email; or
- solicit, endorse, or amplify the communication.

The Respondent indicated that the email was not part of their campaign and was not sent through any approved campaign channels. The Respondent also stated that they do not know who operates the “TMSU Saviour” account and do not adopt or verify the allegations contained within the email.

The Respondent expressed an understanding of the Elections Procedures Code requirements regarding digital campaigning and stated their willingness to cooperate with the investigation.

Consistency and Context

The ERC notes that the complaints relating to in-person interactions are consistent with other complaints received during the 2026 TMSU General Elections describing similar conduct during the Voting Period, including:

- the use of QR codes;
- direct engagement with voters; and
- encouragement to vote for specific candidates.

While this consistency is relevant to the broader context of the election, the ERC has assessed each complaint on its own merits in determining whether the conduct can be attributed to the Respondent.

Findings of fact

Election rulings under the Elections Procedures Code are made on a balance of probabilities. Absolute certainty is not required. The ERC is entitled to draw reasonable inferences from the totality of the evidence, including context, timing, and consistency between accounts.

Based on the evidence set out above, the ERC makes the following findings of fact:



1. Anthony Gerges (the “Respondent”) was a Presidential Candidate in the 2026 TMSU General Elections.
2. The Voting Period for the 2026 TMSU General Elections was ongoing at the time the events described in the complaints occurred.
3. During the Voting Period, a mass email was distributed from an account identified as “TMSU Saviour.”
4. The email was distributed broadly to members of the TMSU community and others, including students and individuals connected to the election.
5. The content of the email:
 - referenced alleged corruption within TMSU;
 - suggested associations between certain individuals and prior TMSU actors; and
 - explicitly endorsed specific candidates, including the Respondent.
6. The email constituted election-related communication distributed during the Voting Period.
7. There is no evidence before the ERC establishing that the Respondent:
 - authored, approved, or distributed the email;
 - coordinated or authorized its distribution; or
 - had prior knowledge of the email before it was sent.
8. The Respondent became aware of the email only after it had been distributed.
9. On March 20, 2026, during the Voting Period, individuals approached students on the second floor of the Ted Rogers School of Management and engaged in conduct that included:
 - displaying QR codes;
 - encouraging students to vote for the Respondent; and
 - attempting to influence voting decisions in real time.
10. In at least one instance, a student was guided through the voting process and influenced to cast a vote for the Respondent and another candidate.
11. The individuals described in the complaints relating to in-person interactions were identified by first name only.
12. There is no evidence establishing that these individuals were campaign team members, Non-Arms-Length Parties, or otherwise acting on behalf of the Respondent.



13. On a balance of probabilities, the ERC finds that in-person vote solicitation occurred during the Voting Period.
14. The ERC is not satisfied, on a balance of probabilities, that the in-person conduct described in the complaints can be attributed to the Respondent.
15. The complaints relating to in-person interactions are consistent with a broader pattern of similar conduct reported during the 2026 TMSU General Elections.
16. The ERC has assessed each complaint on its own merits and has not relied on generalized patterns of conduct to attribute responsibility to the Respondent.

Issues

The ERC identified the following issue for determination:

1. Whether the mass email distributed from “TMSU Saviour” during the Voting Period engages the Elections Procedures Code.
2. If so, whether the mass email can be attributed to the Respondent.
3. Whether the in-person conduct described in the complaints engages the Elections Procedures Code.
4. If so, whether the in-person conduct can be attributed to the Respondent.

Analysis of the Elections Procedures Code

The following analysis applies the Elections Procedures Code to the facts established above. Each alleged violation is assessed on a balance of probabilities, with particular attention to attribution, repetition, and the context of the Voting Period.

EPC s.8.1.1: Campaigning outside the Campaign Period

Section 8.1.1 prohibits campaigning outside the authorized Campaign Period. The Voting Period is not part of the Campaign Period, and campaigning is not permitted during this time.

Campaigning is defined broadly and includes any attempt to solicit votes for or against a candidate. This includes in-person interactions, the use of QR codes, and directing individuals to engage with the voting process.

The ERC finds that during the Voting Period:

- Individuals approached students in academic buildings;



- Students were encouraged to vote for the Respondent;
- QR codes were displayed to facilitate engagement with the voting platform; and
- In at least one instance, a student was guided through the voting process.

The ERC is satisfied, on a balance of probabilities, that this conduct constitutes campaigning during the Voting Period.

The remaining issue is attribution.

The individuals described in the complaints were identified by first name only. No evidence was provided establishing that these individuals were campaign team members or Non-Arms-Length Parties acting on behalf of the Respondent.

While the Respondent was named during the interactions, this alone is insufficient to establish that the conduct was authorized, directed, or carried out on behalf of the Respondent.

On a balance of probabilities, the ERC finds that while EPC s.8.1.1 was engaged, the conduct cannot be attributed to the Respondent.

EPC ss.9.1.5 and 9.1.6: Impermissible interactions during the Voting Period

Section 9.1 governs interactions between candidates and voters during the Voting Period.

- Section 9.1.5 limits candidates to sharing CRO-approved voting aides;
- Section 9.1.6 prohibits providing individualized direction or assistance in casting a ballot.

The evidence establishes that:

- QR codes were presented to students during in-person interactions;
- Students were encouraged to access the voting platform during those interactions; and
- In at least one instance, a student was guided through the voting process and influenced in their selection of candidates.

Even in the absence of confirmed device handling, directing a voter to access and engage with the voting platform in real time constitutes impermissible assistance or direction.

The ERC is satisfied, on a balance of probabilities, that this conduct engages EPC ss.9.1.5 and 9.1.6. However, the evidence does not establish that the individuals engaging in this



conduct were acting as campaign team members or Non-Arms-Length Parties for the Respondent.

There is no evidence that:

- the Respondent directed or authorized the conduct; or
- the Respondent was aware of the conduct at the time it occurred.

On a balance of probabilities, the ERC finds that while EPC ss.9.1.5 and 9.1.6 were engaged, the conduct cannot be attributed to the Respondent.

EPC s.8.1.58: Cross-Campaigning

Section 8.1.58 prohibits coordinated campaigning between candidates or slates where such coordination is not permitted under the Elections Procedures Code.

The evidence establishes that:

- During at least one interaction, a student was encouraged to vote for the Respondent and another candidate; and
- The interaction involved direction toward multiple candidates during the same voting process.

This conduct is consistent with cross-campaigning.

The ERC is satisfied, on a balance of probabilities, that conduct engaging EPC s.8.1.58 occurred.

However, there is no evidence establishing that:

- the Respondent coordinated with the other candidate referenced; or
- the individuals engaging in this conduct were acting on behalf of the Respondent.

On a balance of probabilities, the ERC finds that while EPC s.8.1.58 was engaged, the conduct cannot be attributed to the Respondent.

EPC ss.8.1.7 and 8.1.13: Unauthorized and Misleading Digital Campaigning

The ERC next considers the mass email distributed from the account identified as “TMSU Saviour.”

The Elections Procedures Code prohibits:

- the distribution of unauthorized campaign materials; and



- the dissemination of misleading or unverified information that may affect the fairness of the election.

The evidence establishes that:

- A mass email was distributed during the Voting Period;
- The email referenced alleged corruption within TMSU;
- The email suggested associations between candidates and prior actors; and
- The email explicitly endorsed the Respondent.

The ERC finds that this email constitutes election-related communication capable of influencing voter perception during the Voting Period.

On its face, the email engages provisions of the Elections Procedures Code relating to unauthorized digital campaigning and the dissemination of potentially misleading information. However, attribution is required for a finding of a violation against a candidate.

The Respondent has denied:

- knowledge of the email prior to its distribution;
- involvement in drafting, approving, or distributing the email; and
- authorization of the communication.

The ERC finds that:

- there is no evidence linking the origin of the email to the Respondent;
- there is no evidence that the email was disseminated by a campaign team member or Non-Arms-Length Party; and
- endorsement within the email, on its own, is insufficient to establish attribution.

On a balance of probabilities, the ERC finds that while the email engages the Elections Procedures Code, it cannot be attributed to the Respondent.



Determination

The ERC finds that:

- the conduct described in the complaints engages multiple provisions of the Elections Procedures Code;
- however, the evidence does not establish that this conduct is attributable to the Respondent; and
- in the absence of attribution, no violation of the Elections Procedures Code is made out against the Respondent.

Conclusion

For the reasons set out above, and based on the Findings of Fact and analysis of the applicable provisions of the Elections Procedures Code, the ERC concludes that:

- The conduct described in the complaints engages multiple provisions of the Elections Procedures Code, including:
 - EPC s.8.1.1 (Campaigning outside the authorized Campaign Period);
 - EPC ss.9.1.5 and 9.1.6 (Impermissible interactions during the Voting Period);
 - EPC s.8.1.58 (Cross-Campaigning); and
 - EPC ss.8.1.7 and 8.1.13 (Unauthorized and misleading digital campaigning).
- However, the ERC is not satisfied, on a balance of probabilities, that any of this conduct can be attributed to the Respondent.
- The evidence does not establish that the Respondent directed, authorized, or was aware of the conduct at the time it occurred, nor does it establish that the individuals involved were acting as campaign team members or Non-Arms-Length Parties on the Respondent's behalf.
- Accordingly, while the conduct itself raises serious concerns under the Elections Procedures Code, no violation is made out against the Respondent.

The ERC therefore determines that no demerit points are to be imposed on the Respondent in relation to the complaints before it.

Obiter

Although the ERC has determined that no violations of the Elections Procedures Code can be attributed to the Respondent, the conduct described in the complaints raises significant concerns regarding the integrity of the electoral process.



The ERC notes, in particular, the distribution of the mass email from the account identified as “TMSU Saviour” during the Voting Period. The email referenced alleged corruption within TMSU; suggested affiliations between certain candidates and prior actors; and explicitly endorsed specific candidates, including the Respondent.

Even in the absence of attribution, the timing, content, and breadth of distribution of this communication had the capacity to influence voter perception during a critical period in the election.

The ERC further notes that communications of this nature may create an uneven informational environment, where candidates are either endorsed or implicitly positioned in contrast to allegations raised within the communication. This has the potential to affect the perceived legitimacy of candidates and, more broadly, the fairness of the election.

The ERC also notes the complaints describing in-person interactions during the Voting Period involving the use of QR codes, direct engagement with voters, and encouragement to vote for specific candidates. While these actions have not been attributed to the Respondent, they are consistent with conduct that, if attributable, would constitute serious violations of the Elections Procedures Code.

Taken together, these concerns reflect a broader electoral environment in which external communications and in-person conduct had the potential to influence voter decision-making outside of the regulated campaign framework.

The ERC emphasizes that the integrity of the elections process depends not only on compliance with the letter of the Code, but also on adherence to its spirit. All participants in the electoral process, including candidates and those acting in proximity to campaigns, share responsibility for ensuring that their conduct supports a fair, transparent, and trustworthy election.



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

