

Decision of the IEC

November 4, 2010

Complainant: N/A
Respondent: Brandon Yau
Issues: Campaign during voting period
Decision: Disqualification

Per **Chen Shen**; Jessica Burch, Jason Chan, Marc Fontaine (CEO), and Joshua Lo concurring

- [1] Following the opening of voting on November 2nd, the Chief Electoral Officer discovered numerous posters belonging to candidate Brandon Yau posted at prominent locations in or near Saywell and Blusson Halls and the Academic Quadrangle. More posters were discovered over the next two days, totalling in excess of fifteen posters scattered around campus during voting period. These posters contravene the prohibition on campaigning during voting period in By-Law 14 s.15(a), R-17 s.10(e), and R-17 s.12(g).
- [2] The failure to remove a significant amount of posters, especially those posted in prominent locations, results in substantial unfairness to other candidates who have removed all posters, for the same reasons I laid out in the *Jay Chen* (Nov. 4, 2010) decision. Although the posters were promptly removed upon discovery, this fact does not mitigate the significant prospective advantage these posters would cause.
- [3] Since the candidate did not attend the infraction hearing, nor attempted to reschedule or otherwise communicate with the IEC, there are no mitigating factors or special circumstances to be considered.
- [4] For these reasons, I would disqualify Brandon Yau.