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# OMBUDSMAN ANNUAL REPORT

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Supporting fairness and transparency in Beer Store operations

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24 x 341 mL  
BOTTLES

24 x 341 mL  
BOTTLES

**B**  
BEER  
STORE

**BEER  
STORE**

DISCOVER 1000+ BRANDS

MUST BE 19+ OR OLDER.  
PLEASE DRINK RESPONSIBLY.

OMBUDSMAN  
**ANNUAL REPORT**  
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## OMBUDSMAN'S MESSAGE

Charles Dougall

The Beer Ombudsman of Ontario has a dual mandate. I am responsible, under both the Master Framework Agreement and the Shareholder Agreement, for accepting and investigating complaints from brewers and consumers about operational matters and acting as a mediator if disputes arise under the Shareholder Agreement. Both the Master Framework Agreement and the Shareholder Agreement are available on The Beer Store (TBS) website. No formal Notices of Dispute connected to the Shareholder Agreement were received this year, so this report will focus solely on my activities related to the complaints I received in 2023.

By the end of the year, I had opened only 19 cases, significantly fewer than the 34 last year and far fewer than the 130 cases in 2020, when Covid-related concerns dominated. This year saw the lowest number of cases since my inaugural year (2017) and was the third consecutive year of significant reductions. Further, I opened no full investigations.

The pattern of the cases I opened this year mirrored last year and the normal pattern historically, with the largest number of cases related to consumer interactions with staff in the stores. Although

there were only four complaints from persons who make regular large returns of empties to The Beer Store, they were some of the harshest. I believe this is a reflection of the challenges for both TBS staff and those making these regular returns in this complex relationship.

Finally, I wish to acknowledge once again the cooperation and assistance I received from the President of TBS, Ted Moroz, who retired early this year, and from his successor, Roy Benin, as well as their staff, in managing these complaints.



*Charles Dougall*

CHARLES DOUGALL  
Beer Ombudsman

## QUARTERLY REVIEW OF CASES

**Q1** - I opened only 3 cases in Q1, about 20% of what I had opened in Q1 last year. There were two complaints about the way staff treated customers, including one from a person who made regular large returns. Interestingly, both of these cases were classified as Withdrawn when The Beer Store received no replies to their attempts to contact these complainants. The other complaint was from a licensee who felt they had been short-changed when they returned product - TBS was able to explain to them that they had misinterpreted the invoices and the matter was resolved amicably.

**Q2** - Of the 5 cases I opened in Q2 (3 fewer than last year), one suggested that TBS employees in stores are generally mistreated and one came from someone seeking employment at TBS. Both of these issues were outside my Mandate. Two others were about pricing. One customer complained that he paid more for a six-pack of a certain product than he would have by buying six individual cans. TBS acknowledged that he was correct and explained that some smaller packs can be priced lower by the brewers when they are on sale. TBS also indicated that a Point-of-Sale system, then in pilot and expected in stores in 2024, would avoid such issues in future. The other pricing complaint was about staff not honouring a posted sale price after the sale had ended (but the sale sign was still in place). TBS apologized and provided a gift card to satisfy the customer. The final complaint was from a disabled person who was refused assistance getting beer to his car. The investigation showed the staff member involved was herself injured at the time and could not assist the customer. Nevertheless, coaching was provided to the staff member. Unfortunately, TBS was unable to connect with the complainant to explain the matter and the case was classified as Withdrawn.

**Q3** - I opened 6 cases in Q3 (one more than last year), two of which were from persons who make regular large returns. One was resolved with a discussion and an apology but the second involves a person with a long-standing history of similar complaints and TBS determined that this relationship would need to be managed carefully going forward. One other was about the way a driver handled his truck and two others were about the treatment customers received in stores - one was an LCBO-controlled store and was passed along to them and the other was resolved with an apology and a gift card. The final complaint was an interesting one

- a customer in Moosenee asked how to return his empties when the one outlet in town that sold beer (not a TBS store) refused to accept returns. TBS originally told him to go to the nearest store outside Moosenee but he pointed out that there was no road out of Moosenee as it was serviced only by train. This provided an interesting challenge to TBS as the person who had collected empties for them in the past had retired. TBS is working with local contacts to find a replacement in order to resolve the customer's concern.

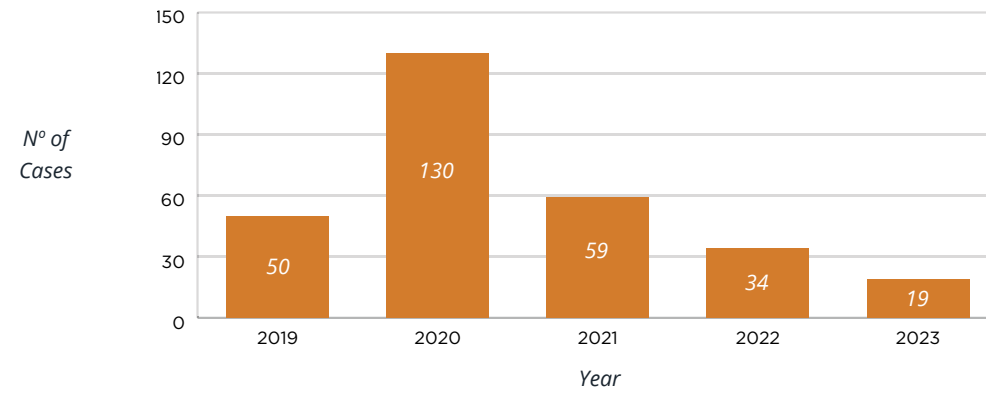
**Q4** - The first of the 5 cases I opened in Q4 (2 fewer than last year) was from a licensee who had not received the order he had placed. It turned out that there were complications connected to the customer's financial situation with TBS that resulted in the order being cancelled. However, the licensee was most upset because he was not notified about the cancellation of the order. Following the conclusion of the investigation, TBS took steps to ensure that licensees would be informed in future when orders are cancelled. There was also a complaint about watery beer purchased at TBS. That complaint was sent to the brewer, who, unfortunately, was unable to contact the customer to address the matter. I also received a complaint about TBS using X (formerly Twitter), which was outside my mandate. Nevertheless, TBS explained to me and to the complainant that they did not provide promotional dollars to X but simply kept a profile there. Another customer complained that he had purchased kegs that were expired at the time of the purchase - he was refunded the full amount, with which he was pleased. The final complaint was a fairly straightforward concern about the allegedly dangerous driving of a TBS driver. The complainant had originally raised the issue with the TBS Call Centre in March and came to me in August after contacting the Call Centre again earlier that month but still had not heard anything from TBS. After I had followed up with TBS a couple of times, they discovered that TBS had dealt with the driver immediately and had provided coaching to them but the client had never been contacted. In October, the complainant was finally contacted and accepted the explanation provided. Things inevitably fall through the cracks but if the complaint tracking system at TBS included confirmation that the customer had been contacted it should avoid recurrences in future.

# COMPLAINT STATISTICS

From Year 2023

## FIVE-YEAR COMPARISON

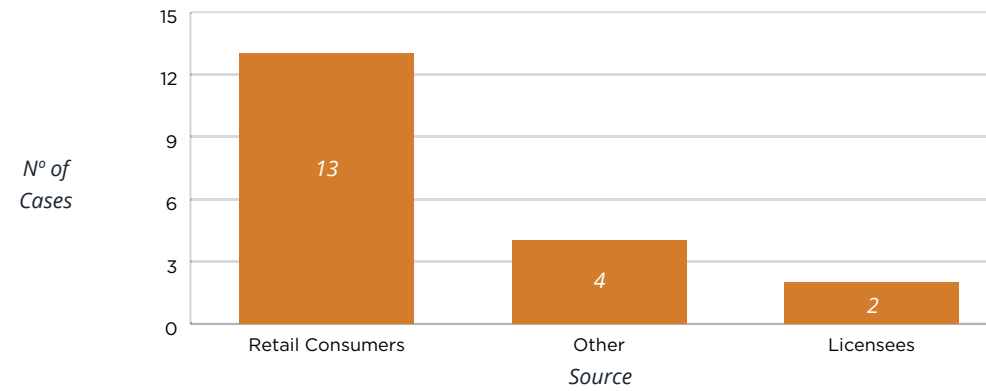
Fig. 1



## 2023 CASES

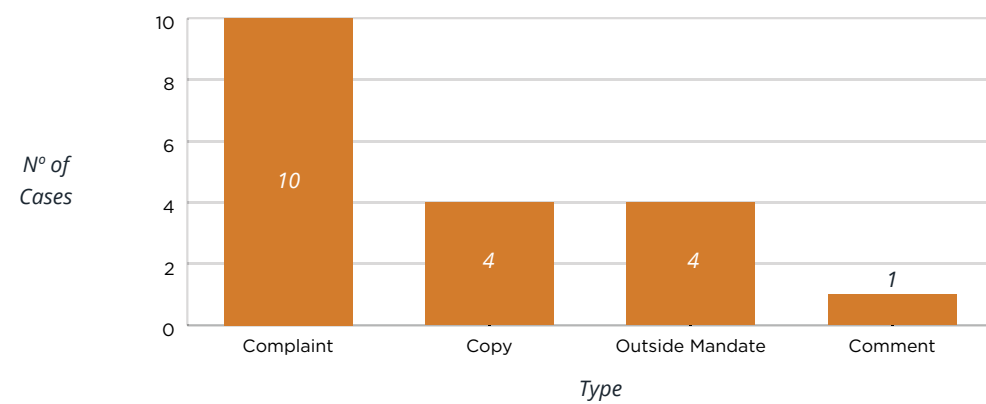
### SOURCE

Fig. 2



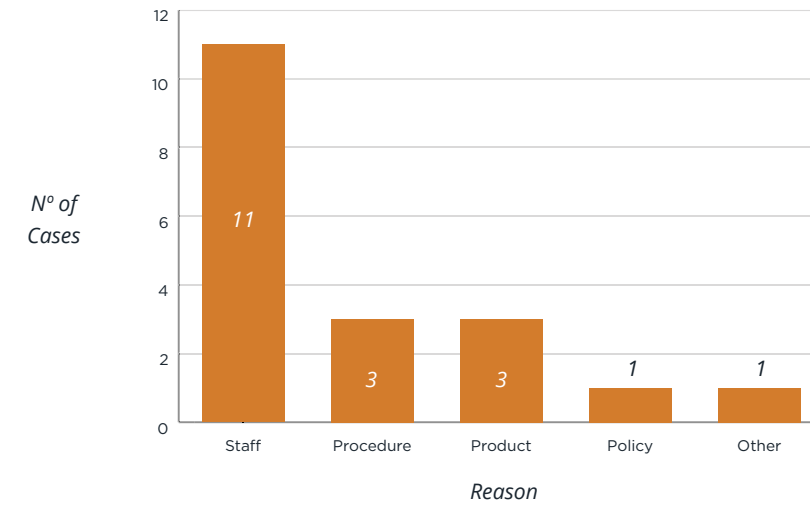
### TYPE

Fig. 3



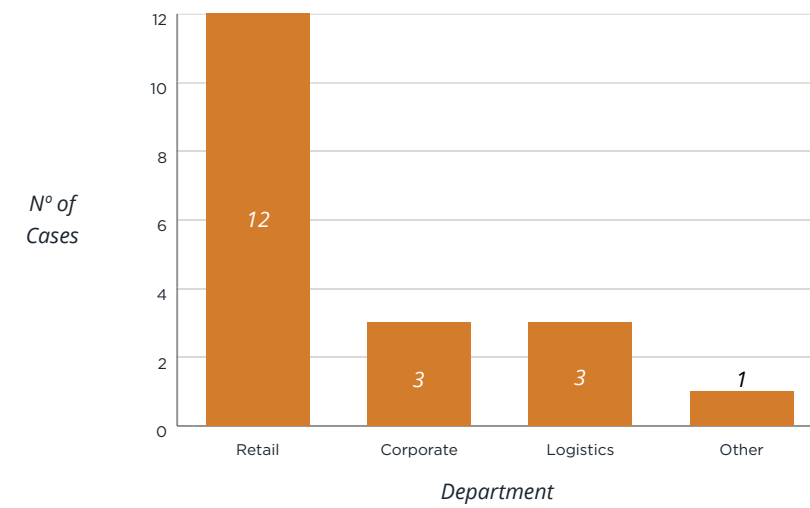
### REASON

Fig. 4



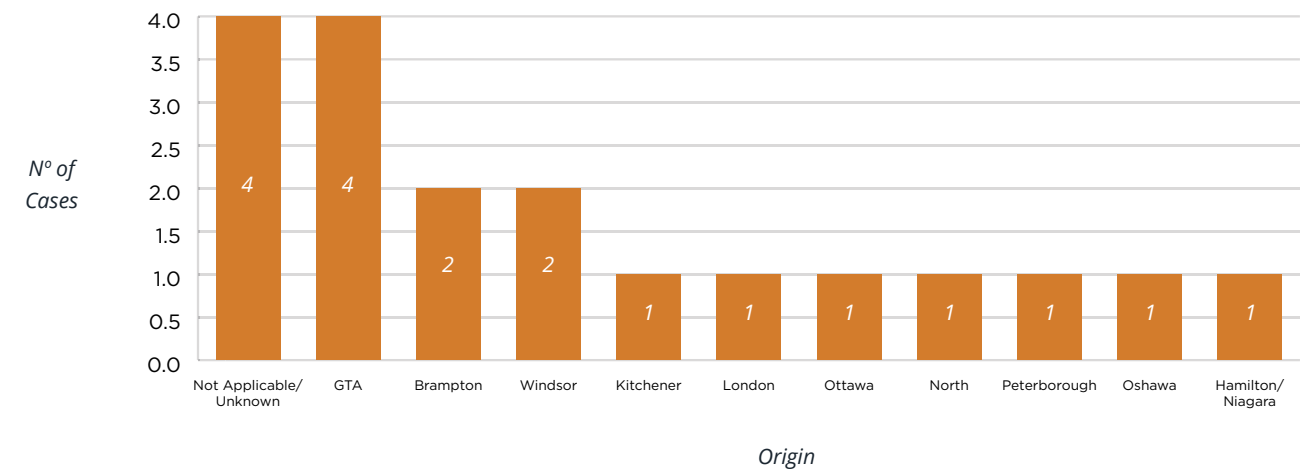
### DEPARTMENT

Fig. 5



### ORIGIN

Fig. 6



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