



Tribunals Ontario

Landlord and Tenant Board

What You Need to Know About Landlord and Tenant Board Telephone Hearings

What is a telephone hearing?

Parties involved in a telephone hearing call into a conference telephone number instead of appearing in person in front of a Member. They make their call on the date, and at the time given in their Notice of Hearing. The Landlord and Tenant Board (the Board) Member who will be conducting the hearing and making decisions on the application is on the line, as are the other parties to the application.

Telephone hearings are similar to hearings where the parties appear in person in front of a Member, but there are a few differences.

How does a telephone hearing work?

Each party is given the chance to present their evidence and to question the other party(ies).

It is important that the parties are polite and respect each other. When speaking at the hearing, parties should:

- always identify themselves before they speak,
- wait until the other party has finished speaking – they should **not** try to talk over each other, and
- be careful when using a speakerphone because other sounds, like shuffling papers, are easily picked-up and can prevent the other party and the Member from hearing what the speaker is saying.

The Board Member listens to the evidence of all parties and may also question a party about the evidence they present. Then, soon after the hearing, the Member will issue a written decision called an order. The Board will mail this order to the parties.

What if I think a telephone hearing isn't appropriate for my application?

If you think that a telephone hearing is not an appropriate way to hear your application, you can ask the Board to hold another type of hearing. You can make this request if you think that a telephone hearing will seriously affect your ability to successfully present and argue your case.

What if I think a telephone hearing isn't appropriate for my application?
(continued)

Your request to the Board must:

- be in writing,
- be made within 5 days of the date you were given the Notice of Hearing, and,
- explain why and how a telephone hearing would seriously affect your ability to successfully present and argue your case.

Once your written request has been received, a Member will decide if another type of hearing should be held for your application. Or, the Member may want to discuss this matter at the scheduled telephone hearing before they decide whether or not a telephone hearing is appropriate for your application. If it is decided that a telephone hearing is not appropriate for your application, another type of hearing will be scheduled.

Important: If you do not get a new Notice of Hearing scheduling another type of hearing, your telephone hearing will take place on the date and at the time indicated in your current Notice of Hearing.

What should I do with my documents?

Important: You should give copies of any evidence, such as documents or pictures, that you are going to use to support your case, to the Board before the hearing takes place. You should also give these documents to the other parties before the hearing. This helps to avoid a possible delay in the hearing.

If the Board does not have your documents **before** the hearing, the Member may decide that:

- the hearing will proceed without this evidence, or
- you can file these documents after the hearing, or
- the hearing should be stopped and a new hearing date set (adjourn the hearing).

If the hearing is adjourned for this reason, the Member will give you a date by which you must give copies of your documents to the other parties and to the Board. This allows everyone to review the documents so that they can be discussed at the next hearing.

What if I have witnesses?

If you have witnesses that you are going to use to support your case, they should be with you on another extension or on a speakerphone, so that both of you can take part in the telephone hearing at the same time. Or, your witness might call in from another location. In this case, you would have to give them the telephone number to call to join the conference call and the entry code that they must use to access the hearing. If a witness is not present, the hearing can proceed without them.

How and when do I phone in?

Your Notice of Hearing tells you the date and the time of the hearing, and the telephone number and access code that you must use to access the hearing.

First, you dial the telephone number listed. You will be asked to enter your access code. You then enter the access code. Once you do this, you are connected to the conference line on which your hearing will take place.

If you have lost your Notice of Hearing, you should phone the Board's call centre immediately at 1-888-332-3234 (GTA callers phone 416-645-8080). A Client Service Representative can give you the information you need to call into your hearing.

What if I have problems accessing my hearing?

Problems accessing a hearing occur very rarely. However, if you are having a problem calling into your telephone hearing, you should phone the Board's call centre number at **1-888-332-3234** (GTA callers phone 416-645-8080).

What happens if I don't phone in?

If you don't phone in, or have someone that you have given written authorization to phone in for you, the telephone hearing may proceed without you.

Applicant:

If you made the application, the Member may decide that you have abandoned your application and dismiss it.

Respondent:

If the application was made against you, the Member may decide to hear the application without you, and issue an order based on the applicant's evidence.

For More Information

Contact the Board

This brochure provides general information only. For more information, or to obtain copies of the Board's forms and publications, you may:

- visit the Board's website at **tribunalsontario.ca/ltb**.
- call the Board at **416-645-8080** or toll-free at **1-888-332-3234**, or
- visit your local Landlord and Tenant Board office. A list of Board office locations can be found on our website, or you may call us at the numbers listed above.