



## **Tribunals Ontario**

### **Licence Appeal Tribunal**

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# **Information Sheet on Tribunal procedures for appeals of Orders made by a director under the *Accessibility for Ontarians with Disabilities Act, 2005*** (Disponible en français)

## **Introduction**

Orders made by a director of the Accessibility Directorate of Ontario (ADO) under sections 21, 25, or subsection 33 (8) of the [Accessibility for Ontarians with Disabilities Act, 2005](#) can be appealed to the Licence Appeal Tribunal (LAT) within 15 days after the date the order was made, by using the Tribunal's Notice of Appeal. The Tribunal is not related to the ADO and makes independent adjudicative decisions.

## **ADO reviews of their original Order**

A person or organization who receives a director's order under section 21 or 33 (8) may also request an alternate director's review of that order by the ADO. This review must be requested in writing within 30 days after the order was made. This review will be performed by a director of the ADO other than the director who issued the original order.

If the ADO's review results in a change, that office will send you a "Varied Order", which can also be appealed to the Tribunal.

## **Timelines and Coordination between Reviews and Appeals**

In cases where an ADO review has been requested, the Tribunal will not schedule a hearing of an appeal until the alternate director issues the results of their review. If a Varied Order is issued, that order will become the subject of the appeal before the Tribunal (without requiring any additional filing fee for a new appeal). If the original order is withdrawn by the reviewing director, the appeal will no longer be needed, and the Tribunal file will be closed.

In cases where an ADO review has not been requested, the Tribunal will not schedule a written hearing until the 30-day period for requesting a review is over.

## **Hearing Format**

Under subsection 27 (4) of the *Accessibility for Ontarians with Disabilities Act, 2005*, hearings will be held by written format, "unless a party satisfies the Tribunal that there is good reason to hear oral submissions." When a written hearing is scheduled, the Tribunal will set out the timelines for you and the ADO to provide the Tribunal with the written materials that the Tribunal will consider.

First, the ADO will be given a 30 day period to provide the Tribunal with their submissions and supporting evidence. You will then have 30 days from that date to provide your submissions and supporting evidence. Finally, the ADO will be given 15 days to reply to your submissions and supporting evidence.

The Tribunal will generally issue a decision within 30 days, that will confirm, vary or rescind the order of the director.

## **Filing an Appeal**

To file an appeal with the LAT, fill out the "[Notice of Appeal – Registration, Certificate, Licence, Claim Denial, Order](#)" form and submit it to the Tribunal, along with a copy of the order you are appealing and the filing fee.

## **Important Points**

- You have 15 days after the order is made to appeal a director's order made under section 21, 25 or subsection 33(8) of the *Accessibility for Ontarians with Disabilities Act, 2005*.
- You can ask the ADO for a review of a director's order made under section 21 or 33(8) of the Act. You have 30 days to make this request.
- If you do request a review, the LAT will not schedule a hearing until the review has been completed.
- If you do not request a review, the LAT will schedule a hearing once the 30 day period in which you can request a review is over.
- Your hearing will be a written hearing unless you or the ADO satisfies the LAT that there is a good reason for the LAT to hear oral submissions.

## **Other Sources of Useful Information**

- [Tribunal's Information Sheets](#)
- [Tribunal's Rules of Practice](#)
- Frequently Asked Questions (FAQs) and other information at [LAT Frequently Asked Questions](#)

This information sheet is intended to provide general information to Applicants and other parties. It does not constitute legal advice. If you wish to obtain legal advice, you should consult a person licensed by the [Law Society of Ontario](#).

This Information Sheet may be found online at [tribunalsontario.ca/lat](http://tribunalsontario.ca/lat).