

Application Because the Tenant Changed the Locks

Form L8

Instructions

Use this form to apply to the Landlord and Tenant Board because the tenant changed the locks to the rental unit or to the residential complex without your consent and you want the tenant to:

- provide you with keys, or
- pay you to change the locking system.

You can obtain this form at the Landlord and Tenant Board office in your area or from the Board's website at www.LTB.gov.on.ca.

January 31, 2007

A. How to Apply...

Step 1: Complete the form

Read the instructions carefully before completing the form.

Step 2: Complete the L8 Payment and Scheduling Information Form

You must fill out the Payment and Scheduling Information Form which is attached behind the last page of the application form. Instructions for completing it are found at the end of these instructions.

Step 3: File the application and the Payment and Scheduling Information Form with the Landlord and Tenant Board

Filing your application and paying the fee

You can:

1. Bring the application to the nearest Board office.

If you file your application in person, you can pay by cash, certified cheque, money order, Visa, American Express or MasterCard. You can also pay by debit card at most locations.

2. Fax your application to the Board Regional Office in your area.

If you fax your application, you must pay by Visa, American Express or MasterCard.

3. Mail your application to the Board Regional Office in your area.

If you mail your application, you must pay by certified cheque, money order, Visa, American Express or MasterCard.

Certified cheques and money orders must be made payable to the Minister of Finance.

Important:

Make sure you have provided the necessary information about how you will pay the fee on the Payment and Scheduling Information Form. Your application will not be accepted if you do not pay the application fee at the time you file your application.

If you owe money to the Board as a result of failing to pay a fee, or any fine or costs set out in an order, your application may be refused or discontinued.

It is the applicant's responsibility to ensure that their application is correct and complete. Staff of the Landlord and Tenant Board will check applications for completeness; however, the Board Member who will make a decision on the application will ultimately determine whether or not it meets the requirements of the legislation. Where it does not, the application may be dismissed.

Scheduling the Hearing

Once you have filed the application and paid the application fee, the Board will schedule a hearing and give you a Notice of Hearing. If you apply in person, the Board will normally schedule the hearing while you wait.

Generally, the Board will schedule an oral hearing. An oral hearing is a meeting between the landlord and the tenant before an adjudicator. However, in some circumstances the Board may decide it is appropriate to have a written, telephone or video conference hearing instead.

When the Board gives you a copy of the Notice of Hearing, the Board will also give you:

- a copy of the application to keep for yourself,
- a blank Certificate of Service form (see Step 5),
- a copy of the application and the Notice of Hearing for the tenant(s), and
- instructions for giving the application and the Notice of Hearing to the tenant(s).

This is called the application package.

Step 4: Give a copy of the application and the Notice of Hearing to the tenant

You must give the tenant a copy of the application and a copy of the Notice of Hearing at least 10 days before the hearing. There are many ways you can do this. For example, you can:

- hand the copies directly to the tenant (or to an adult in the tenant's rental unit),
- leave the copies in the tenant's mailbox or where mail is ordinarily delivered,
- place the copies under the door of the rental unit or through a mail slot in the door,
- send the copies by fax to a fax machine where the tenant carries on business or to a fax machine in their residence,
- send the copies by courier to the tenant (if you courier them, you must allow one business day for delivery),
- send the copies by mail (if you mail them, you must allow five days for delivery),
- if the tenant has a lawyer or an agent, you can give the tenant's lawyer or agent the copies by mail, by hand delivery, mail, courier or fax.

Keep a copy of the application and the Notice of Hearing for yourself.

Step 5: File a Certificate of Service with the Board

You must file a Certificate of Service with the Board showing when and how you gave a copy of the application and the Notice of Hearing to the tenant. You should file the certificate no later than five days after you give the tenant a copy of the application and the Notice of Hearing. The Certificate of Service form is included in your application package.

Step 6: The Board will process the application, hold a hearing and issue a written decision called an order

You should come to the hearing prepared to support your application. If there are any documents or other information that you will be relying on, you should bring them to the hearing. For example, if you had the locking system changed after the tenant changed it and you want the tenant to pay your costs, bring copies of your receipts. You should make extra copies for the Board and the tenant. You should also bring any witnesses you may need to prove your claim. If you need to summon a witness, you can obtain a "Request for the Board to Issue a Summons" form from the Board.

If the name of the street is, for example, "Chestnut Road", you would fill in "Chestnut" under "Street Name" and "Road" under "Street Type".

If the street name includes a direction (such as "Chestnut Road **North**"), you would fill in "North" under "Direction". Where applicable, use the following abbreviated directions "NW" for Northwest, "NE" for Northeast, "SW" for Southwest or "SE" for Southeast.

Tenant's Name and Address Fill in the tenant's name. If two tenants live in the rental unit, fill in both their names. If more than two tenants live in the rental unit, first complete Part 1 of the application form and then provide the names, addresses and telephone numbers of any additional tenants on the "Schedule of Parties" form which is available from the Board.

Fill in the tenant's mailing address if it is different than the address of the rental unit. If the tenant's address is the same as the address of the rental unit, leave the section for the tenant's address blank. Provide the tenant's daytime and evening telephone numbers and a fax number and e-mail address, if you know them.

Related Applications If there are any other applications to the Board that relate to the same rental unit, fill in the file numbers of those applications.

Part 2: Reasons for Your Application

You should read these instructions carefully before completing the form, then shade the appropriate box to indicate the order you want the Board to make.

You can apply if the tenant changed the locks or locking system on a door giving entry to the residential complex or to the tenant's rental unit without your consent.

There are two different orders the Board can make if you apply for this reason.

If you want the tenant to provide you with keys to the new locks, shade the appropriate box on the form.

If you want the tenant to pay you the cost of changing the locks, shade the appropriate box on the form.

In the space provided, explain which locks were changed. For example, was the lock on a door to the complex changed, or was a lock on the door to the tenant's rental unit changed? Include the date the locks were changed. If you are unsure of the exact date, indicate you are unsure and put the date you discovered the change. If you are aware of them, describe the circumstances in which the locks were changed. Be as specific as possible.

Signature

Sign your name and include the date you are signing this form.

If you are the landlord or an officer signing for a corporation, shade the box marked "Landlord". If you are an agent, shade the box marked "Agent".

Print your name below your signature.

If you are an agent or an officer signing for a corporation, also include your name, company name (if applicable), mailing address, telephone and fax number and e-mail address.

If an agent signs the form, the agent must have written authorization from the landlord. The agent should bring the authorization to the hearing.

C. How to fill out the Payment and Scheduling Information Form

You must complete the Payment and Scheduling Information Form.

Part 1: Application Fee

How are you paying the application fee?

On the Payment and Scheduling Information Form, shade the correct box to show whether you are paying by cash, debit card, certified cheque, money order, Visa, American Express or MasterCard (you cannot pay by cash or debit card if you are filing your application by fax or mail). If you are paying by Visa, American Express or MasterCard, include the cardholder's name and signature, the card number and expiry date. The information you fill in on this part of the form is confidential. It will be used to process your application, but will not be placed on the application file.

Important:

Your application will not be accepted if you do not pay the application fee at the time you file your application.

If you owe money to the Board as a result of failing to pay a fee, or any fine or costs set out in an order, your application may be refused or discontinued.

Part 2: Information Required to Schedule the Hearing

How do you want the Board to give you the application package?

If you file your application in person at a Board office, in most cases the Board will be able to schedule a hearing and prepare the application package while you wait. However, if you mail or fax your application, you must tell the Board whether you would like to pick up the application package at a Board or ServiceOntario office, or have it mailed to you or faxed to you. Shade the correct box to show how you want to receive the application package.

If you want to pick up the application package at a Board or ServiceOntario office, also indicate what day and at what office you would like to pick it up. If you are mailing your application to the Board, the earliest day you can ask to pick up the package is six days after you mail it. If you are faxing your application, the earliest day you can ask to pick up the package is the day after you fax it. Call the Board before picking up the package to make sure it is ready.

When will you give the application package to the tenant?

Shade the correct box to indicate whether you will give the tenant the application package (the tenant's copy of the Notice of Hearing and the application) on the date you receive it from the Board or whether you will give the tenant the package on a different date. If you intend to give the application package to the tenant on a different date, fill in the date in the space provided. The Board must know this date in order to schedule the hearing.

How will you give the application package to the tenant?

The Board also needs to know how you plan to give the application package to the tenant(s). Shade the correct box to indicate whether you will be mailing the package, sending it by courier or giving it some other way.

Part 3: Interpretation Services Required

Indicate whether you require interpretation services

If you require French language services, shade the box for French language services. The Board will only provide French language services if you live in an area of the Province designated for French language services or if the rental unit or complex that is covered by the application is in an area designated for French language services. If you are not sure if you live in a designated area, you can contact the Board for more information.

If you require sign language services, shade the box for Sign language services. The Board will arrange for an interpreter to attend the hearing.

If you need more information...

The Board has Rules of Practice that set out procedural rules which may affect the outcome of your application. In addition, the Board has Interpretation Guidelines which explain how the Board might decide specific issues that could arise in your application. You can purchase a copy of the Rules and Guidelines from the Landlord and Tenant Board office in your area or view them online at the Board's website www.LTB.gov.on.ca.

If you need more information or have any questions, call the Landlord and Tenant Board at 416-645-8080 or toll-free at 1-888-332-3234. You can also check the status of your application by visiting the Board's website at www.LTB.gov.on.ca.