



IMPORTANT: YOUR HEARING TODAY

Sign in

When you arrive, you must sign your name on a sign-in sheet to let us know that you are here.

You should use any remaining time before the hearing starts to organize yourself and any witnesses you may have. You may also take this opportunity to speak with Tenant Duty Counsel if you are a tenant, or a Board Mediator in locations where they are present.

People at the hearing

A Board **Member** will be at the hearing. The Member is in charge of the hearing. It is the Member's job to listen to both sides and make a decision about the application.

The person who filed the application is called the **applicant**. The applicant or their representative must be at the hearing. If they are not, the application may be dismissed.

The other person named in the application is called the **respondent**. They were given notice to come to the hearing. If the respondent, or their representative, do not come, a decision can be made without them.

The applicant and the respondent are called **parties** to the application. In most cases, this is the landlord and tenant. In some cases there may be more than one landlord or more than one tenant.

If a party has a **witness or witnesses** who can tell the Member something about the situation, then they will also be in the hearing room for some or all of the hearing.

Other people who may also be in the hearing room

There are many hearings scheduled in the same hearing room today for the same start time. The applications are all heard by one Member.

This means that there may be many other people in the hearing room who are waiting for their application to be heard. The Member will decide the order in which cases are called.

Hearings are also open to the public, so anyone can sit in the hearing room to listen.

Mediation Services

Mediation is a service that is offered by the Board in most hearing locations. In mediation, a Board Mediator talks to the parties to see if they can come to an agreement to settle some or all of the issues in the application and possibly other issues between them. If all of the issues are settled, a hearing does not need to be held. The Mediator will write up an agreement for you to sign.

Mediation is voluntary, which means that all of the parties have to want to try it. Mediation is offered for most types of applications.

If you do try mediation and you do not settle the application, your hearing will take place as scheduled. At your hearing, you cannot talk about what was said in mediation, because mediation is confidential.

You can check with staff to see if a Board Mediator is available at this hearing location today.

Tenant Duty Counsel Services

Tenant Duty Counsel is a service for tenants. This service is independent of the Landlord and Tenant Board.

Tenant Duty Counsel is a lawyer or other legal professional who assists tenants on the day of their hearing.

Tenants do not need an appointment to speak with Tenant Duty Counsel and Tenant Duty Counsel do not make appointments to speak with tenants. Tenant Duty Counsel gives priority to tenants with eviction hearings.

If you are speaking with Tenant Duty Counsel when your hearing is scheduled to begin, you must go to the hearing room and tell the Member. If you do not, your hearing may proceed without you. Tenant Duty Counsel is not always available at hearing locations on all hearing days.

When your case is called

When it is time for your hearing, the Member will call the file number and the names of the parties. When the Member calls your case, you stand up, tell the Member who you are, and come to one of the party tables at the front of the room.

If you are not in the hearing room when your case is called and the Member does not know where you are, the Member can make a decision without you.

Conduct at the hearing

The Board Member is in charge of the hearing. If you do not behave properly, the Member can make you leave the hearing room and continue the hearing without you.

Name calling, shouting and abusive language is **not tolerated**.

The hearing process

This is what usually happens at a hearing, after the Member calls your case:

First, the applicant tells their side:

At the hearing, the applicant tells why they made the application and gives any evidence they have to back up those reasons. They may give evidence, or call witnesses to give evidence. The applicant should give the Member and the respondent a copy of any documents they have brought to the hearing.

The respondent can ask them questions:

When the applicant and their witnesses have finished, the respondent can ask them questions. The reason for asking questions is to clarify something they said, to get more details, or to show that an error may have been made -- it is not to argue with them.

Then, the respondent tells their side:

The respondent then tells their side and gives any evidence they have to back up what they have said. They can also call witnesses to give evidence. The respondent should give the Member and the applicant a copy of any documents they have brought to the hearing.

The applicant can ask them questions:

When the respondent and their witnesses have finished, the applicant can ask them questions.

The Member may also ask questions:

The Board Member can also ask questions of any party or their witnesses at any time during the hearing.

Then, each side sums up their case:

After both sides have finished, each side makes a final statement to sum up their evidence, and give their view of the other parties' evidence. Each party can tell the Member what decision they think should be made based on the evidence given during the hearing.

The decision

The Member will make the final decision about the application.

In some cases, the Member will announce their decision at the end of the hearing but in most cases, the Member will need some more time to make a decision. Either way, the Member's decision will always be put in writing (this written decision is called an **order**). A copy of the order will be mailed to all of the parties and their authorized representatives.