

Legislation:

The *French Language Services Act* (the “FLSA”)

The FLSA sets out general requirements for the provision of French language services in the province of Ontario. This Rule sets out the Board’s practice regarding its provision of these services.

7.1 Parties are entitled to communicate with and receive services from the Board in French where:

- (a) **the rental unit that is the subject of an application is located in a designated area of the province as set out in the Schedule to the *French Language Services Act*; or**
- (b) **the party making the request for French language services resides in a designated area.**

7.2 Where a party is entitled to French language services, hearings can proceed in both French and English, or fully in French if all parties in attendance consent.

With the assistance of an interpreter, parties may participate in a Board hearing in both French and English. In some cases, however, all of the parties may be capable and willing to proceed solely in French.

7.3 Where a party is entitled to French language services, they must inform the Board in writing as soon as possible before the hearing that they require French language services at the hearing.

It is important for parties who intend to request French language services at a Board hearing to do so as quickly as possible, so that the necessary arrangements can be made for an interpreter.

7.4 Where a party makes a request at a hearing for French language services, the Member presiding at the hearing will decide how to proceed.

Where a party fails to request French language services until the day of the hearing, it will be up to the Member to decide whether or not to adjourn the hearing to a later date so that arrangements can be made for an interpreter.

- 7.5 Where a party is entitled to and requests French language services, the Board will book and pay for the service of an interpreter.**

Where a party qualifies for and requests French language services, the Board will make the necessary arrangements for the services of an interpreter and pay the related costs.

- 7.6 Where a party is entitled to and requests French language services at a hearing, the Board will attempt to schedule a French-speaking Member within a reasonable time to preside at the hearing.**

- 7.7 Where a French-speaking Member cannot be scheduled to hear a matter within a reasonable time, the Board may schedule an English-speaking Member and arrange for the services of an interpreter at the hearing.**

When a party makes a request for French language services at a hearing, the Board attempts to schedule a French-speaking Member. However, it is not always possible to provide this level of service within a reasonable time from the date the application was filed. In such cases, the Board will schedule an English-speaking Member and will ensure that an interpreter is present to assist the parties and the Member.

- 7.8 The Board will provide all of its correspondence and decisions in French to a party who is entitled to and has requested French language services.**

Where a party has requested French language services, the Board will ensure that the party receives all correspondence initiated by the Board with respect to the application in French, including a French translation of the Member's decision.

- 7.9 The Board will not translate documents that are filed by parties or their representatives from French to English, nor from English to French.**

- 7.10 Where a document is filed in either English or French, the Member may order the person to also provide it in the other language, translated by a qualified translator at the person's expense, if the Member considers it necessary for the fair determination of the matter.**

Where a Member determines that it is necessary for a party to provide a translation of a document they have filed, the Member should consider that the services of a certified translator can be quite costly. Where a party uses the services of an uncertified translator, however, the Member may need to determine whether the translation is adequate.