

Simplified Landlord Checklist

Preparing for a Hearing at the LTB

Preparing for a Hearing at the Landlord and Tenant Board

There are three types of hearings: an oral hearing where both parties appear before a Board member; a telephone hearing, where parties file documents before the hearings and give evidence and state their position during the hearing, and; written hearings, where parties file a written statement of their position with documents and evidence for a Board member to decide on. The LTB decides which kind of hearing will occur. In most cases, an oral hearing will be scheduled. To prepare for your hearing, follow these steps:

Consider getting legal advice from the Landlord's Self-Help Centre.

To find out what is expected of you at a hearing, as well as to get a better idea of how the LTB makes its decisions at hearings, look through their [Rules, Practice Directions and Guidelines](#).

Decide if you want to try mediation before proceeding with the hearing. Dispute resolution officers are available to mediate to see if both parties can come to an agreement without a hearing. You can access these services on the day of your hearing by informing the security guard when you arrive and if the

other party is willing to enter into mediation. For more information on mediation, [click here](#).

Witnesses must attend the hearing. Ensure that any witnesses you have attend the hearing by serving them a [summons to appear and paying any relevant witness fees](#).

You do not need to have a representative speak on your behalf, but if you are unable to attend the hearing and want someone who is not a lawyer or paralegal to speak on your behalf, you must give them written permission. For more information on representation, [please click here](#).

You can have a support person attend the hearing with you as long as they don't speak on your behalf during mediation or the hearing.

Clear your whole day, as you may have to wait for much of the day for your hearing.

Arrive 30 minutes before the start of the hearing.

Wait in the hearing room unless the Board member says you may step out or unless you are waiting for a Dispute Resolution Officer for mediation.

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Because the member is supposed to be neutral, they cannot provide you with legal information or suggestions on how to present your case. During the hearing, you will be able to ask questions of witnesses, introduce documents as evidence and make arguments about the facts and the law. Make sure you are prepared to argue your case and present evidence to support your position.

If the tenant does not comply with the order, you can enforce the order by – in the case of an eviction order – filing with the Court Enforcement Office (aka the Sheriff's Office) or by – in the case of a repayment order – filing with Small Claims court.

To learn more about how to correct or challenge an order, please [click here](#).

The Order

When the hearing is over, the Member might tell you their decision then or might take time to review the arguments. In both cases you will receive the decision in writing. This decision is called an order.

You can request that the Member include their reasoning in the order at the hearing, or in writing within 30 days of the order.

Keep in mind that an eviction order for non-payment of rent usually allows the tenant to void the order by paying all the money they owe in the deadline included in the order. If a tenant pays the money owed after the order's deadline, another hearing may be issued to decide on whether or not the eviction order is void.