



## **MEDIA RELEASE – Restoring Access to Justice at Tribunals Ontario: How to Fix the Landlord and Tenant Board and Ontario’s Tribunal System**

FOR IMMEDIATE RELEASE – May 15, 2023

TORONTO, ON.

Tribunal Watch Ontario is calling on the Ontario Government to take immediate steps to restore access to justice at the backlogged Landlord and Tenant Board. Tribunal Watch Ontario is a non-partisan, public interest group that advocates for an independent and accessible tribunal justice system that is fair, timely, expert and inclusive.

The just-released report of the Ontario Ombudsman provides a devastating picture of the Landlord and Tenant Board, part of Tribunals Ontario. The Board is, in the Ombudsman’s words, “fundamentally failing” to provide timely justice, leaving tenants “trapped in the queue” while “forced to live in unsafe and substandard living conditions”, and landlords “facing financial ruin.”

According to Brian Cook, Tribunal Watch Coordinator and a former adjudicator at the Human Rights Tribunal and the Workplace Safety and Insurance Appeals Tribunal WSIAT: *“The Landlord and Tenant Board is failing despite having more funding, more adjudicators and fewer new cases than at any other point in its history. The crisis started in 2018 when the new Ford Government refused to retain the experienced adjudicators appointed by the previous government to the LTB and to other tribunals across Ontario. We do not empty our courts of our experienced judges when we elect a new government; we shouldn’t empty our tribunals of experienced adjudicators.”*

Kathy Laird, a member of Tribunal Watch and a former Ontario adjudicator and counsel at the Human Rights Tribunal, explains the ongoing crisis: *“Since the Board’s last Annual Report published less than a year ago, thousands more applications have stalled in the queue. Moreover, Tribunal Ontario’s decision to end in-person hearings at the LTB has created fundamental unfairness as tenants without internet access struggle to join chaotic video hearings by telephone.”*

A spokesperson for the Attorney General has responded to the Report by telling media that the findings relate to “*past conditions*” and a “*previous moment in time*”. This is clearly not the case, as the Ombudsman report makes clear. Prior to 2018, the Board was able to get out a final decision out within an average of 29 days after a new application was filed. Today it is taking the Board an average of 221 days to issue an order on a landlord application and over 427 days on a tenant application. As stated by Ontario’s Ombudsman, sometimes it takes as long as two years just to get a tenant application scheduled for hearing.

Moreover, the LTB is not the only adjudicative tribunal at Tribunals Ontario that has developed an enormous backlog since 2018. The Human Rights Tribunal, for example, has almost doubled its backlog. The crisis at Tribunals Ontario is wider and deeper than the deplorable state of the LTB as documented by the Ombudsman.

Tribunal Watch Ontario’s proposed solutions include establishing a special backlog tribunal under new leadership; re-introducing in-person hearings; and depoliticizing the

appointment and reappointment processes so that experienced adjudicators are not discarded every time a new government is elected.

**MEDIA CONTACT:**

Brian Cook, Tribunal Watch Coordinator

[info@tribunalwatch.ca](mailto:info@tribunalwatch.ca)

**BACKGROUND DOCUMENTS** ([tribunalwatch.ca](http://tribunalwatch.ca)):

Tribunal Watch Ontario, [Statement on the Ombudsman's Report on the Landlord and Tenant Board](#), May 2023.

Tribunal Watch Ontario, [Backgrounder on the Crisis at the LTB: Key Performance Indicators](#)

Tribunal Watch Ontario, [Statement on New Funding for the Landlord and Tenant Board](#), April 2023.

Tribunal Watch Ontario, [Backgrounder on Wait Times and Backlogs at Tribunals Ontario, December 15, 2022.](#)

Tribunal Watch Ontario [Statement of Concern – Tribunals Ontario](#), December 2022.