



## **PLEASE READ AS THE LTB'S PROCEDURE HAS BEEN UPDATED**

### **Video Conference Hearings or Telephone Hearings**

You must complete this form and email (or mail or courier) to the Landlord and Tenant Board (LTB) at least **five days** before your hearing if you have made an L1 or an L9 application to the LTB.

This form must also be given to the tenant(s) at least **five days** before your hearing.

The information on this form lets the LTB know if anything has changed since you filed your application.

The LTB requires this form to make a decision about your application.

### **In-Person Hearings (for special accommodation)**

You must provide information that is up to date as of the hearing day, so you must complete this form before your hearing. You must bring **three paper copies** of this form to the hearing – one for the LTB, one for your tenant, and one for your records.

The information on this form lets the LTB know if anything has changed since you filed your application.

The LTB requires this form to make a decision about your application.

### **Important:**

If you attend the hearing and you have not submitted the completed L1/L9 Information Update form, the adjudicator may refuse to hold the hearing. Your completed L1/L9 Information Update sheet must be submitted to the LTB and the tenant at least five days before the hearing to ensure your hearing is held.

An electronic version of this form is on the LTB website under the "Other Forms" section:  
[tribunalsontario.ca/ltb/forms/](https://tribunalsontario.ca/ltb/forms/)

Landlord's Name: \_\_\_\_\_ File No: \_\_\_\_\_

Tenant's Name: \_\_\_\_\_

Rental Unit Address: \_\_\_\_\_

Complete all **10 sections** of this form. If you check **Yes**, because something has changed **since the date the application was filed**, fill in the details in the space provided on the form. You can attach additional sheets, if necessary.

SINCE THE APPLICATION WAS FILED:		FILL IN DETAILS ONLY IF INFORMATION HAS CHANGED			
1. Has the Tenant moved out of the unit? <input type="radio"/> No <input type="radio"/> Yes    ▶		When? (dd/mm/yyyy):			
2. Has the monthly rent charged to the Tenant changed from what was shown on the application? <input type="radio"/> No <input type="radio"/> Yes    ▶		The new rent is: \$ _____		Date rent changed (dd/mm/yyyy): _____	
3. Has the rent deposit changed? OR Have you paid interest on the rent deposit? <input type="radio"/> No <input type="radio"/> Yes    ▶		Amount held now: \$ _____		Interest paid for the period: _____ to _____ dd/mm/yyyy          dd/mm/yyyy	
4. After you filed the application, did you receive any additional payments? <input type="radio"/> No <input type="radio"/> Yes    ▶		Amount of payment: \$ _____		Date payment made (dd/mm/yyyy): _____	
		\$ _____			
		\$ _____			
		\$ _____			
TOTAL ADDITIONAL PAYMENTS THE TENANT MADE:		\$ _____			
5. After you filed the application, has any new rent become due? <input type="radio"/> No <input type="radio"/> Yes    ▶		Additional rent owing: \$ _____		Date rent was due (dd/mm/yyyy): _____	
		\$ _____			
		\$ _____			
6. TOTAL AMOUNT YOU BELIEVE THE TENANT OWES FOR ARREARS ONLY as of the end of this month. (Do <b>NOT</b> subtract the last month's rent deposit or interest you owe on it, do <b>NOT</b> include the application filing fee, and do <b>NOT</b> include any NSF fees.)				\$ _____ **Subtotal of arrears only owed**	
7. Are there new NSF/administration charges that were not listed on the application? <input type="radio"/> No <input type="radio"/> Yes    ▼					
NSF cheque amount: \$ _____	Cheque date: (dd/mm/yyyy)	NSF charge date: (dd/mm/yyyy)	Bank NSF charge amount: \$ _____	Administration charge: (Max. \$20 / cheque) \$ _____	Total charge \$ _____
\$ _____			\$ _____	\$ _____	\$ _____
Total of NSF charges on application					\$ _____
Total of <b>all NSF charges</b> including NSFs from application					\$ _____
8. Do you want the Board to order the Tenant to pay you the application fee? <input type="radio"/> No <input type="radio"/> Yes Shade the appropriate circle: <input type="radio"/> \$201 (regular fee) <input type="radio"/> \$186 (e-File fee) <input type="radio"/> \$190 (previous regular fee) <input type="radio"/> \$175 (previous e-File fee)					
9. GRAND TOTAL YOU BELIEVE THE TENANT OWES INCLUDING ALL FEES. (This <b>INCLUDES</b> arrears, NSF fees and the application filing fee. The last month's rent deposit should <b>NOT</b> be deducted and no other fees/ costs should be included.)					\$ _____ ***Grand Total Requested***
10. Section 83 of the <i>Residential Tenancies Act, 2006</i> , requires the Board to consider whether to refuse or delay the Tenant's eviction, even if the Tenant owes rent. (See the explanation of section 83 on the other side of this sheet.) <b>Are there any circumstances about this tenancy you think the Board should be aware of before making a decision about evicting the Tenant?</b> <input type="radio"/> No <input type="radio"/> Yes    ▶    If you check <b>Yes</b> , you must provide details on the other side of this form.					

**You must complete the Declaration and sign the other side of this form.**

If you checked "Yes" for question 10, give the details:

**DECLARATION AS TO TRUTH OF INFORMATION CONTAINED IN THIS DOCUMENT**

To the best of my knowledge and belief, the information contained in this form is true as of the date of the hearing of this application. I make this Declaration conscientiously knowing that it is of the same force and effect as if made under oath or affirmation.

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_  Landlord  Representative

Note: It is an offence under the *Residential Tenancies Act, 2006*, to file false or misleading information in any material provided to the Board.

**Section 83 of the Residential Tenancies Act, 2006 (RTA)**

**The Board may decide to delay or refuse to order the tenant's eviction**

Section 83 of the RTA requires that the Landlord and Tenant Board have regard to all circumstances where an application to evict a tenant is made to the Board. This means the Board must consider the circumstances of both the tenant and the landlord when making a decision on an application to evict a tenant.

After reviewing all circumstances at a hearing for an eviction application, the Board may decide to delay a tenant's eviction, or, if it is not unfair to do so, the Board may decide to refuse to order the tenant's eviction and allow the tenant to stay in the rental unit.

If the tenant is present at their Board eviction hearing, they may tell the Board about circumstances that they think provides a reasonable argument why their eviction should be delayed or refused. For example:

- the tenant lost their job and owes rent, but got a new job and will be able to repay the landlord very soon;
- someone has agreed to loan the tenant the money to pay the arrears; or,
- the tenant has a disability or chronic illness that will make finding a new rental unit more difficult.

If a tenant does not appear at their eviction hearing, the Board must still have regard to both the landlord's and tenant's circumstances, and will ask the landlord to provide any information about this they may have.

If a landlord has provided information about circumstances relevant to section 83, but believes that the Board should order eviction because to do otherwise would be unfair, the landlord can explain this in the box too.

**The Board must refuse to order the tenant's eviction**

Section 83 of the RTA states that the Board must refuse to evict a tenant where the Board is satisfied that the landlord:

- currently is seriously in breach of their responsibilities under the RTA or under the tenancy agreement;
- made the application because the tenant complained to a government authority about health, safety, housing or maintenance issues related to their rental unit or residential complex;
- made the application because the tenant has attempted to secure or enforce their legal rights;
- made the application because the tenant is a member of a tenant's association or is trying to organize one; or,
- made the application because there are children in the rental unit, even though the number of children occupying the rental unit is not considered by law to be overcrowding.