



L1/L9 – Information Update as of the Hearing Day Form

You must complete this form and bring it with you to file at your hearing if you have made an L1 or an L9 application to the Landlord and Tenant Board (the Board).

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

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

The Board requires this information to make a decision about your application.

Important:

If you come to the hearing and you do not bring your completed *L1/L9 Information Update as of the Hearing Day* form with you, you may be required to complete one before a Board Member will hear your application.

Visit the "Other Forms" section of the Board's website at www.LTB.gov.on.ca to access a version of this document if you want to save, complete and print a copy of this form electronically.

If you checked "Yes" for question 9, give 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 Legal Representative Agent

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 provide a reasonable argument that 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.