

TLAB Urgent Relief Motion Parameters for Public and Parties

Given the impact of Emergency Measures on the City of Toronto, Court Services, and Tribunal Operations, certain situations may arise on a case-by-case basis which are not addressed under the resumption of normal operations, or the TLAB's current Rules of Practice and Procedure (Rules), and which are of an Urgent and/or time-sensitive nature.

To address these situations, Parties may seek an **Urgent Relief Motion** Hearing in order to raise their issues with a Tribunal Member. Only after the deadline for the election of Party and Participant status has passed, may a Party seek an Urgent Relief Motion on grounds accepted by the Tribunal. Requests will be vetted by the Tribunal based on the following parameters:

1. The requestor should demonstrate a threshold compelling basis that the relief requested is because of one of the following circumstances:

- a) An imminent potential detrimental change in circumstances that if allowed without oversight could fundamentally have a direct and adverse impact that cannot be addressed by civil or criminal remedies; or
- b) The potential for compromise to a compelling public interest identified in public policy, environmental or public health and safety protections; or
- c) Actual or intended actions, conduct or a pattern of events that if left without oversight could occasion social and/or economic hardship or risk of injury or loss to persons, public policy priorities or real property.

2. Except for exceptional circumstances, the relief requested must not be the subject matter of a conventional Motion, including electronic or written Motions, such as a Motion for the following:

- a) To dismiss
- b) To adjourn/reschedule
- c) For particulars, discovery or production
- d) To consolidate or deconsolidate matters
- e) To extend or provide relief from a limitation period
- f) For costs
- g) For Party or Participant status
- h) For procedural directions, a pre-hearing conference, written motion or settlement Hearing.

3. The relief requested must not be for the same subject matter or outcome as is the substance of the appeal for which a Hearing date has been assigned in a Notice of Hearing.

4. The relief requested must, generally, not be for procedural relief for such matters as the following:

- a) An earlier Hearing date
- b) Additional Hearing days
- c) Recusal
- d) Amending orders
- e) A guarantee that TLAB facilities are adequate to ensure personal standards of public health and safety.

Once an initial request has been evaluated by the Tribunal and found to meet the parameters of an **Urgent Relief Motion** request, Court Services staff will provide the moving Party with a Form 7A and Form 10 and instructions.

The moving Party will be required to file a completed Form 7A and Form 10 with TLAB and confirm service of the document to the TLAB and all persons on the 'people list' by a specified date to secure an **Urgent Relief Motion** Hearing. With such service, a Notice of **Urgent Relief Motion** Hearing will be posted on the TLAB website

Urgent Relief Motions are intended to be heard by a Member within 2-3 weeks of confirmation of service of the **Urgent Relief Motion** materials.

Urgent Relief Motions are to be available for a three (3) month trial period (unless further extended) commencing on the cessation of the TLAB COVID-19 suspension period, currently expected to expire August 14, 2020

Date Issued: July 27, 2020