

# DANGEROUS DOG

## REVIEW TRIBUNAL

### WHAT IS THE DANGEROUS DOG REVIEW TRIBUNAL?

The Dangerous Dog Review Tribunal is a local five-member board of the City of Toronto. The Tribunal was established under the authority of the City of Toronto Act and is conducted in accordance with the Statutory Powers Procedure Act. The chair and two panel members are present during a hearing. The panel listens to appeals of dangerous dog orders issued under section 15.1 of *Municipal Code, Chapter 349*.

### WHEN A DOG OWNER DISPUTES A DANGEROUS DOG ORDER:

- The owner of a dog who is issued a dangerous dog order may request a hearing to appeal the order. In order to do so, the owner must submit an appeal in accordance with City of Toronto Municipal Code Chapter 349, Animals.
- A request for a hearing must be in writing and be mailed or delivered to the address that is listed on the order within 30 days of the issuance of the dangerous dog order. Owners must submit the applicable appeal fee and their written request must include:
  - the name, telephone number and address of the owner;
  - a statement of the reason(s) for the appeal and nature of the relief sought; and
  - if applicable, the name, address and telephone number of the agent, representative or lawyer representing the owner.
- Although a request for a hearing may be made, the order to comply (requirements) take effect once the order is served and remain in effect until a hearing is held, and the Tribunal decides if the designation of a dangerous dog is confirmed or rescinded.
- The Dangerous Dog Review Tribunal which hears appeals will determine the following:
  - Did a dangerous act occur?
  - Was the dangerous act committed by the dog in question?
  - Was the order issued in accordance with the bylaw?
- The Dangerous Dog Review Tribunal has the authority to confirm the determination of a dangerous dog and uphold the dangerous dog order or rescind the determination of a dangerous dog and exempt the owner from all requirements of the dangerous dog order. The Tribunal does not have jurisdiction to exempt an owner from some or part of the requirements on a dangerous dog order.
- The grounds of appeal are limited and the dog's behaviour after the act is not considered during the appeal process.

## PROVIDING EVIDENCE

At an appeal hearing, both the dog owner and the City are welcome to present evidence. All documents/evidence must be disclosed to the other party and Tribunal no later than 14 days prior to the hearing. If a party fails to disclose a document or discloses it late, the Tribunal may disallow the document from being entered into evidence.

Hearings before the Tribunal are public and documents provided to the Tribunal will be made available to interested parties upon request.

## WHAT TO EXPECT AT THE HEARING

- Although there are some similarities, the Dangerous Dog Review Tribunal hearing is different from a court hearing or trial.
- The purpose of a hearing is to determine whether or not the dangerous dog order was issued in accordance with the bylaw.
- The City and the dog owner will have provided the Tribunal with copies of all documents/evidence.
- The only two possible outcomes of a hearing are:
  - the dangerous dog order gets confirmed, meaning that all requirements of the order remain, or
  - all requirements of the order are rescinded.
- Parties appearing before the Tribunal are free to arrange for legal counsel, but this is optional, not required.
- If a party has been given a notice of a hearing and does not attend, the Tribunal may proceed in the absence of that party.

## WRITTEN DECISION

The tribunal may provide their decision at the time of the hearing, but is more likely to provide a written decision within 15 days of the hearing to both the dog owner and the City. The City will provide a copy of this written decision to the victim or victim dog owner.

For more information visit [toronto.ca/DogsInTheCity](https://toronto.ca/DogsInTheCity) and [toronto.ca/DogTribunal](https://toronto.ca/DogTribunal)