

Toronto Multi-Tenant House Licensing Tribunal

Rules of Procedure – Rules for Proceedings and Rules for Business Meetings

To Govern the Proceedings and Business Meetings of the Multi-Tenant House Licensing Tribunal

Effective Date of these Rules of Procedure: XXX

Amended: XXX

CONTENTS

ARTICLE 1 – ADOPTION OF RULES OF PROCEDURE

1.1 ADOPTION OF RULES OF PROCEDURE

ARTICLE 2 – RULES FOR PROCEEDINGS

2.1 DEFINITIONS

2.2 APPLICATION

2.3 CALCULATING TIME REQUIREMENTS

2.4 COMMUNICATIONS WITH THE TRIBUNAL

2.5 DISCLOSURE REQUIREMENTS

2.6 REFERRAL BY THE EXECUTIVE DIRECTOR / REQUEST BY AN APPLICANT

2.7 WITHDRAWAL OF A REQUEST FOR A HEARING

2.8 DATE AND MANNER OF A HEARING

2.9 FAILURE TO ATTEND A HEARING

2.10 ADJOURNMENT REQUESTS

2.11 MOTIONS

2.12 CONDUCT OF HEARINGS

2.13 SUMMONS TO WITNESSES

Multi-Tenant House Licensing Tribunal Forms	Form Number
Notice of Appeal	Form 1
Notice of Referral	Form 2
Request for Adjournment	Form 3
Notice of Motion	Form 4
Notice of Response to Motion	Form 5
Applicant/Operator Information	Form 6
Request to Summons	Form 7

ARTICLE 3 - RULES FOR BUSINESS MEETINGS

3.1 DEFINITIONS

3.2 APPLICATION

3.3 DUTIES OF THE CHAIR, VICE-CHAIR, ACTING CHAIR, MEMBERS, SECRETARY

3.4 BUSINESS MEETINGS

3.5 QUORUM

3.6 BUSINESS MEETINGS OPEN TO THE PUBLIC

3.7 CLOSED BUSINESS MEETINGS

3.8 ELECTRONIC PARTICIPATION IN BUSINESS MEETINGS

3.9 AGENDAS

3.10 DECLARATIONS OF INTEREST

3.11 PUBLIC PARTICIPATION

3.12 MOTIONS

3.13 VOTING

3.14 PROCEDURES FOR AGENDA ITEMS

3.15 MINUTES OF BUSINESS MEETINGS

DRAFT

ARTICLE 1 – RULES OF PROCEDURE

1.1 ADOPTION OF RULES OF PROCEDURE

These Rules of Procedure, consisting of Article 2 – Rules for Proceedings and Article 3 – Rules for Business Meetings, are adopted and may be amended or replaced by the Multi-Tenant House Tribunal in accordance with Article 3 – Rules for Business Meetings.

ARTICLE 2 – RULES FOR PROCEEDINGS

2.1 DEFINITIONS

In Article 2, unless the context requires otherwise:

"applicant" means a person applying for a licence or a renewal of a licence under Chapter 575;

"Chair" means the Chair of the Tribunal;

"Chapter 575" means Chapter 575, Multi-Tenant Houses of the City of Toronto Municipal Code;

"document" includes any handwritten or typed document or record, sound recording, videotape, file, photograph, map, and any other electronic information that can be shared;

"hearing" means any step in the proceeding presided over by the Tribunal, which may be conducted in person, in writing, or electronically or in some combination of these as the Tribunal determines to be appropriate;

"licensee" means the holder of a licence issued under Chapter 575;

"motion" means a request for an order or decision of the Tribunal made at any stage in a proceeding;

"moving party" means a party who makes a motion to the Tribunal;

"Member" means a Member of the Tribunal;

"Municipal Licensing and Standards Division" means the Municipal Licensing and Standards Division of the City of Toronto;

"party" means an applicant or licensee and the Municipal Licensing and Standards Division;

"Secretary" means the staff with the City's Court Services Division providing

administrative assistance to the Tribunal;

"Tribunal" means the Multi-Tenant House Licensing Tribunal; and

"Vice-Chair" means the Vice-Chair of the Tribunal.

2.2 APPLICATION

- (1) These Rules for Proceedings are authorized by Chapter 575 and s. 25.1 of the Statutory Powers Procedure Act.
- (2) These Rules for Proceedings, Chapter 575 and the Statutory Powers Procedure Act apply to all the proceedings of the Tribunal.
- (3) Where procedures for proceedings are not provided for in these Rules for Proceedings or the Tribunal determines it is appropriate to grant an exception to these Rules for Proceedings, the Tribunal may do what is necessary and permitted by law, including Chapter 575 and the Statutory Procedures Act, to adjudicate matters before it.
- (4) No proceeding is invalid by reason only of a defect or other irregularity in form.
- (5) Where a party to a proceeding has not complied with any Rule for Proceedings or a procedural order, the Tribunal may:
 - (a) adjourn the proceeding until it is satisfied that such Rule for Proceedings or order has been complied with; or
 - (b) take such other steps as it considers necessary.
- (6) The Vice-Chair has all the powers and performs all the duties in the Chair's absence or if delegated those duties by the Chair.

2.3 CALCULATING TIME REQUIREMENTS

- (1) In calculating time under these Rules for Proceedings or a procedural order, except where a contrary intention appears:
 - (a) all references to days are to calendar days;
 - (b) the number of days between two events will be counted by excluding the day on which the first event happens and including the day on which the second event happens;
 - (c) where the time for doing an act under these Rules for Proceedings or under a procedural order expires on a holiday, the act may be done on the next day that is not a holiday; and

(d) a document sent after 4 pm or at any time on a holiday will be deemed to have been received on the next day that is not a holiday.

(2) Where a time of day is mentioned in these Rules for Proceedings or in any document or order in a proceeding, the time referred to will be the time in Toronto.

(3) Under section 2.3 holiday means;

(a) any Saturday or Sunday;

(b) New Year's Day;

(c) Family Day;

(d) Good Friday;

(e) Easter Monday;

(f) Victoria Day;

(g) Canada Day;

(h) Civic Holiday;

(i) Labour Day;

(j) Thanksgiving Day;

(k) Remembrance Day;

(l) Christmas Day;

(m) Boxing Day and;

(n) Any day on which the staff offices of the Tribunal are closed.

2.4 COMMUNICATIONS WITH THE TRIBUNAL

(1) All communications with the Tribunal from a party shall include the following information:

(a) full name of the party, including their phone number and email address;

(b) the Tribunal's Case File Number, if known, which should be in the subject line;

(c) the reason for the communication; and

(d) if applicable, a list of the documents attached to the communication.

(2) Communications to the Tribunal from a party shall be copied to the other party.

(3) The filing of any document with the Tribunal by a party may be perfected by providing the document to the Tribunal through personal delivery, by ordinary or registered mail, by courier, by email at the address indicated on the Tribunal's website, or otherwise as the Tribunal may order.

2.5 DISCLOSURE REQUIREMENTS

(1) If a party intends to rely on documents at the hearing, that party shall serve one copy of the documents on the other party and file the documents with the Tribunal no later than 10 days before the hearing.

(2) Where a party fails to serve any documents in advance of the hearing, they may make submissions to the Tribunal at the hearing to explain why the Tribunal should consider the documents. The party shall email the documents to the Tribunal and the other party as far in advance of the hearing as possible.

(3) The Tribunal will decide whether to consider any documents submitted by a party, including any documents not served 10 days before the hearing.

(4) The Tribunal will make any documents considered by the Tribunal at a hearing available to the public on request, subject to any order of the Tribunal.

2.6 REFERRAL BY THE EXECUTIVE DIRECTOR / REQUEST BY AN APPLICANT

(1) Where the Executive Director of Municipal Licensing and Standards refers a licence or licence application to the Tribunal for a hearing or an applicant requests a hearing before the Tribunal, the referral or request shall be made by completing a Notice of Referral – Form 2 or a Notice of Appeal – Form 1, respectively.

(2) A complete Form 1 or Form 2 must provide all of the information requested in every section of the form and any other information required by Chapter 575.

(3) Where an applicant or licensee has a hearing before the tribunal and their contact, representative, and/or accessibility information is not reflected in a Notice of Appeal – Form 1 or Notice of Referral – Form 2, they may complete and submit an Applicant/Operator Information – Form 6 to provide their most up-to-date contact information.

2.7 WITHDRAWAL OF A REFERRAL OR REQUEST

- (1) The Executive Director of Municipal Licensing and Standards may withdraw a referral and an applicant may withdraw a request at any time.
- (2) The Executive Director of Municipal Licensing and Standards or the applicant shall notify the Tribunal and the other party of the withdrawal in writing and should do so as soon as possible. If a hearing has been scheduled, the Secretary will cancel the hearing.
- (3) Notice of withdrawal may be provided by email, regular mail, or delivered in person to the attention of the Secretary and should include the information required by Rule 2.4.

2.8 DATE AND MANNER OF A HEARING

- (1) The Secretary will set the date and time of the hearing and give a notice of hearing to the parties in accordance with Chapter 575 and the Statutory Powers Procedure Act.
- (2) Hearings will take place on the date and in the manner determined by the Tribunal.

2.9 FAILURE TO ATTEND A HEARING

Where a person is properly served with notice of hearing and does not attend at the time and place appointed, the Tribunal may proceed in that person's absence and without further notice to that person and, unless the matter has been referred to the Tribunal by the City of Toronto, may dismiss the application without a hearing.

2.10 ADJOURNMENT REQUESTS

- (1) Adjournment requests by a party shall be made by completing a Request for Adjournment – Form 3 as soon as possible, and comply with Rule 2.5, modified as necessary. The request shall indicate if consent of other party has been sought or obtained.
- (2) Where an adjournment is on consent, the Secretary may reschedule the matter to another date or refer the adjournment request to the Tribunal.
- (3) The Tribunal may also adjourn or reschedule a hearing on its own initiative.
- (4) In granting an adjournment, the Tribunal may impose such conditions as it considers appropriate.
- (5) Where the Tribunal orders a hearing adjourned or rescheduled, the Tribunal will notify the parties of the order and the new date of the hearing.

2.11 MOTIONS

- (1) Where a party intends to bring a motion before the Tribunal, they shall provide notice of the motion by completing a Notice of Motion – Form 4 to the other party at least 10 days in advance of the motion hearing date or as soon as practical, and comply with Rule 2.5, modified as necessary.
- (2) If a responding party opposes or otherwise wishes to make submissions on the motion, they shall provide submissions by completing a Notice of Response to Motion – Form 5 to the other party no later than two business days prior to the date set for hearing the motion, and comply with Rule 2.5, modified as necessary.

2.12 CONDUCT OF HEARINGS

- (1) Each Hearing will be presided over by a panel composed of at least three Members.
- (2) The Tribunal will control the conduct of the hearing, including the order of presentation of evidence and submissions.
- (3) A hearing will be conducted in the following order of presentation, unless the Tribunal directs otherwise:
 - (a) the Municipal Licensing and Standards Division's representative may make an opening statement;
 - (b) the licensee or applicant may make an opening statement;
 - (c) the Municipal Licensing and Standards Division's representative shall present evidence;
 - (d) the licensee or applicant shall present evidence;
 - (e) the licensee or applicant may make a closing statement;
 - (f) the Municipal Licensing and Standards Division's representative makes a closing statement;
 - (g) the Tribunal may ask questions of the parties or witnesses at any time during the hearing.
- (4) Where a hearing is conducted in writing, all parties will receive every document that the Tribunal receives in the hearing prior to the commencement of the hearing.
- (5) All hearings of the Tribunal, other than a written hearing, are digitally recorded by the Tribunal. A copy of the recording may be requested by any person, who will receive it after paying the required fee unless a statute, a court order, or an order of the Tribunal

provides otherwise.

2.13 SUMMONS TO WITNESSES

- (1) A party who wishes to summon a witness shall make a request by completing a Request to Summons – Form 7 to the Tribunal setting out the reasons why the witness's attendance is sought.
- (2) If the Chair or their designate is satisfied with the information provided in the request to summons, the summons will be signed and issued by the Tribunal and sent to the requesting party for service on the person to be summoned.
- (3) The Tribunal may issue a summons on its own initiative if a person in Ontario is required to attend before the Tribunal to appear as a witness to:
 - (a) give relevant and admissible evidence under oath or affirmation; and/or
 - (b) produce any relevant and admissible document or thing.
- (4) The Tribunal will seek the positions of the parties on the summons before issuing a summons on its own initiative.
- (5) A summons shall be served on the witness by personal service.
- (6) Where requested by the witness, attendance money shall be paid by the party requesting the summons or by the Tribunal if it has initiated the summons in accordance with the Rules of Civil Procedure.
- (7) A party who has served a summons on a witness shall immediately provide a copy of the request for the summons and the summons to the other party and file a copy with the Tribunal.

2.14 SERVICE

- (1) Where any document is required to be served upon a party, service can be made by:
 - (a) Personal service;
 - (b) Regular, registered or certified mail to the last known address of the person or their authorized representative;
 - (c) Email to the last known address of the person or their authorized representative.
- (2) Service is deemed to be effective:
 - (a) on the date it is personally delivered;

- (b) By mail, on the fifth day after the document is mailed; or
- (c) By email, on the day it was sent.

2.15 REPRESENTATIVES

- (1) Any party may appear at or participate in a hearing in their own capacity or by way of a representative.
- (2) Any notice that is given to a representative is deemed to have been given to the party for whom the authorized representative acts.
- (3) Where a representative ceases to act for a party in the hearing, the party or the authorized representative shall promptly notify the Tribunal and other parties in writing.
- (4) The representative shall provide the Tribunal with a current business address including postal code and telephone number, and email address for the representative either in a Notice of Appeal – Form 1 or otherwise.

ARTICLE 3 - RULES FOR BUSINESS MEETINGS

3.1 DEFINITIONS

In Article 3, unless the context requires otherwise:

"adjourn" means to end a business meeting;

"business meeting" means any regular, special or other business meeting of the Tribunal;

"Chair" means the Chair of the Multi-Tenant House Licensing Tribunal;

"Chapter 575" means Chapter 575, Multi-Tenant Houses of the City of Toronto Municipal Code;

"City Official" means:

- (1) the City Manager, a Deputy City Manager or the Chief Financial Officer and Treasurer;
- (2) the Auditor General, the Clerk, the City Solicitor or the Medical Officer of Health; and
- (3) any General Manager, Director or Executive Director.

"closed business meeting" means a business meeting or a part of a business meeting that is not open to all or a portion of the public as set out these Rules for Business Meetings;

"Member" means a Member of the Tribunal;

"motion" means a Member's formal proposal that the Tribunal take certain action including action on a procedural matter;

"quorum" means the number of Members to be present to legally conduct business at a business meeting;

"recess" means a temporary break in a business meeting;

"recorded vote" means a vote for which the Secretary records all Members present and how they voted;

"report" means a City Official's report that makes recommendations to the Tribunal;

"ruling" means the Chair's interpretation of the Rules for Business Meetings to settle a

procedural matter explaining how one or more Rules apply to the matter;

"Secretary" means the staff with the City's Court Services Division providing administrative assistance to the Tribunal;

"Tribunal" means the Multi-Tenant House Licensing Tribunal; and

"Vice-Chair" means the Vice-Chair of the Tribunal.

3.2 APPLICATION

- (1) These Rules for Business Meetings are authorized by Chapter 575 and the City of Toronto Act, 2006.
- (2) These Rules for Business Meetings, Chapter 575 and the City of Toronto Act, 2006 apply to all the business meetings of the Tribunal.
- (3) If a matter is not provided for in these Rules for Business Meetings, the Chair will make a ruling, in accordance with the Rules for Committees in Toronto Municipal Code Chapter 27, Council Procedures.

3.3 DUTIES OF CHAIR, VICE-CHAIR, ACTING CHAIR, MEMBERS, SECRETARY

- (1) The Chair:
 - (a) presides at all business meetings of the Tribunal, rules on all procedural matters and maintains the decorum of the business meeting;
 - (b) determines the order in which Members will speak;
 - (c) determines when all Members who wish to speak have spoken and are ready to vote on a matter;
 - (d) may re-state proposals to ensure that the wording is recorded properly and everyone understands the intent;
 - (e) rules whether a motion proposed amendment is in order; and
 - (f) may call, cancel and/or reschedule a regular business meeting or call a special business meeting as necessary.
- (2) The Vice-Chair has all the powers and performs all the duties of the Chair in the Chair's absence or if delegated those duties by the Chair.
- (3)(a) If neither the Chair nor the Vice-Chair is present when the business meeting starts, the Tribunal will appoint another Member as Acting Chair.

(b) The Acting Chair presides and discharges the duties of the Chair during the Business meeting, or until the arrival of the Chair or Vice-Chair.

(4) Members are responsible for:

(a) attending scheduled business meetings;

(b) carefully considering and making decisions about meeting business;

(c) voting on motions put to a vote;

(d) respecting the Rules for Business Meetings;

(e) speaking respectfully at all times;

(f) listening attentively, participating in business meetings, and not interrupting the business meeting;

(g) refraining from using any offensive, disrespectful or unparliamentary language about any Member, any City Officials or other City employee, or City Council;

(h) speaking only on the matter under debate or related motions during debate;

(i) respecting the confidentiality of matters discussed in closed business meetings and not disclosing the subject or substance of these discussions, unless authorized to do so; and

(j) obeying the Chair's rulings.

(5) The Secretary is responsible for:

(a) establishing and enforcing deadlines for agenda business;

(b) preparing, publishing, and distributing an agenda for each business meeting, and providing appropriate notice;

(c) in the absence of the Chair or any other Member designated to be the Chair in the Chair's absence, calling the business meeting to order and presiding until the Tribunal immediately elects a business meeting Chair;

(d) providing procedural advice to Members on agenda business and on preparing motions;

(e) informing the Chair and Members when items need to be added to or removed from the agenda;

- (f) serving as the parliamentary expert to the Tribunal by advising the Chair on the business meeting rules and on matters of parliamentary procedures;
- (g) calling to the attention of the Chair any error in the business meeting that may affect the rights of any Member, or the Tribunal; and
- (h) taking minutes and keeping a record of all the business meetings, including the votes, of the Tribunal.

3.4 BUSINESS MEETINGS

- (1) The Tribunal meets at the call of the Chair or may adopt an annual schedule of business meetings.
- (2) Written notice of all business meetings, and of cancelled business meetings, shall follow Chapter 162, Notice, Public, and:
 - (a) shall include the time, date and location of the business meeting;
 - (b) shall state the purpose of the business meeting; and
 - (c) shall be delivered either in person or sent by e-mail to each Member.
- (3) Members will be notified at least 24 hours before the scheduled beginning of a business meeting.
- (4) The Chair, on 24 hours' notice, may call a special business meeting of the Tribunal.
- (5)(a) If the Secretary receives a petition signed by a majority of the Members requesting a special business meeting, the Secretary will give notice and call a special business meeting for the purpose, date and time the petition requests.
 - (b) A petition under Rule 3.4(5)(a) shall contain:
 - 1. the Members' original signatures;
 - 2. a clear statement of the business meeting's purpose; and
 - 3. the time and date for the business meeting, which shall be a date before the next scheduled regular business meeting.

3.5 QUORUM

- (1) A quorum of the Tribunal is a majority of Members of the Tribunal.
- (2) A vacancy on the Tribunal does not reduce the number of Members required to form a quorum.

- (3) If a quorum is not present 30 minutes after the time appointed for a business meeting, the Secretary calls the roll and records the names of the Members present and the business meeting stands adjourned until the next scheduled business meeting, or a business meeting at the call of the Chair.
- (4) If a quorum is lost during a business meeting for a period of 15 minutes, the Secretary calls the roll and records the names of those Members present and the business meeting stands adjourned until the next scheduled business meeting, or a business meeting at the call of the Chair.

3.6 BUSINESS MEETINGS OPEN TO THE PUBLIC

Except for business meetings as described in Rule 3.7, all business meetings are open to the public, and no person is excluded from a business meeting except for improper conduct.

3.7 CLOSED BUSINESS MEETINGS

- (1) A business meeting or part of a business meeting may be closed to the public if the subject matter being considered is:
 - (a) the security of the property of the City or the Tribunal;
 - (b) personal matters about an identifiable individual, including a City employee;
 - (c) proposed or pending acquisition or disposition of land by the City or Tribunal;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the City or Tribunal;
 - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which the Tribunal may hold a closed business meeting under an Act other than the City of Toronto Act, 2006;
 - (h) information explicitly supplied in confidence to the City or Tribunal by Canada, a province or territory or a Crown agency of any of them;
 - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or Tribunal, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons,

or organization;

(j) a trade secret or scientific, technical, commercial or financial information that belongs to the City or Tribunal and has monetary value or potential monetary value; or

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City or Tribunal.

(2) A business meeting or part of a business meeting shall be closed to the public if the subject matter being considered is:

(a) request under the Municipal Freedom of Information and Protection of Privacy Act, if the Tribunal is the head of an institution for the purposes of that Act; or

(b) an ongoing investigation respecting the Tribunal by the Ombudsman appointed under the Ombudsman Act, the Ombudsman appointed under subsection 170(1) of the City of Toronto Act, 2006, or the investigator referred to in subsection 190.2 (1) of the City of Toronto Act, 2006.

(3) A business meeting or part of a business meeting may be closed to the public if the following conditions are both satisfied:

(a) The business meeting is held for the purpose of educating or training the Members.

(b) At the business meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Tribunal.

(4) All business meetings begin and end in public.

(5) All closed business meetings begin with a motion in an open business meeting to hold a closed business meeting and end by being reported out, subject to any confidential matters remaining confidential, in the same open business meeting.

(6) Before the Tribunal may close a business meeting, it shall pass a motion that states:

(a) that the business meeting will be closed;

(b) the general nature of the matter the Tribunal will consider at the closed business meeting; and

(c) the reason or reasons under Rule 3.7(6)(a) for closing the business meeting.

3.8 ELECTRONIC PARTICIPATION IN BUSINESS MEETINGS

Members and the public may participate in business meetings of the Tribunal by electronic means, in accordance with the rules on electronic participation in business meetings adopted by City Council.

3.9 AGENDAS

- (1) The Secretary establishes agenda deadlines for the Tribunal's business meetings.
- (2) If the Secretary receives any agenda business matters by the agenda deadline from the following, and the matters are within the Tribunal's jurisdiction, the Secretary places them on the agenda for the next regular business meeting:
 - (a) a Member of the Tribunal;
 - (b) City Council;
 - (c) Council Committee; and/or
 - (d) City Official.
- (3) The Secretary prepares, publishes and distributes the agenda for the Tribunal's business meetings, the order of which includes:
 - (a) requests for declarations of conflict of interest;
 - (b) confirmation of minutes (if available);
 - (c) agenda items; and
 - (d) communications from the public related to a matter on the agenda.
- (4) The Secretary provides the agenda to each Member by electronic mail.
- (5) The Secretary distributes confidential material to Members and selected City Officials under confidential cover.
- (6) If the Secretary receives any new agenda business matters after the agenda deadline for the business meeting, the Secretary adds them to the agenda for the following business meeting.
- (7) The Tribunal may by a majority of votes in favour add to the agenda new business matters the Secretary receives after the agenda deadline for the business meeting.
- (8) Unless otherwise decided by the Tribunal, the Tribunal considers the items on the

agenda in the order in which they are listed.

- (9) The Tribunal, without debate, may by a majority of votes in favour alter the order of business but may not delete any item from the agenda.

3.10 DECLARATIONS OF INTEREST

- (1) A Member shall declare any direct or indirect pecuniary interest in a matter under consideration at a business meeting and declare the general nature of the interest. The Member shall leave the business meeting during discussion of the matter.
- (2) Every declaration of interest and the general nature of the interest are recorded in the Minutes of the business meeting.

3.11 PUBLIC PARTICIPATION

- (1) Any person may address the Tribunal with respect to an item on the agenda.
- (2) A person wishing to address the Tribunal on an agenda item shall register their intention to speak by notifying the Secretary by 12 pm on the business day before the business meeting.
- (3) If a person who has not registered their intention with the Secretary wishes to speak on an agenda item, the Tribunal may still hear from them.
- (4) Unless the Tribunal decides otherwise, a public presentation has a five-minute limit.
- (5) A person making a public presentation may use an interpreter, and the interpretation time does not count toward the five-minute limit.
- (6) Public presenters shall:
 - (a) not speak disrespectfully about anyone;
 - (b) not use offensive language;
 - (c) speak only about the matter on which they have registered to speak or on which the Tribunal has invited them to make a public presentation; and
 - (d) obey the Tribunal's Rules for Business Meetings and any Chair's ruling.

3.12 MOTIONS

- (1) A Member may make a motion that:
 - (a) affects the business meeting's procedures, as set out in these Rules for Business

Meetings; or

(b) proposes an action on the matter that is currently before the Tribunal.

(2) The following motion types propose an action on the matter before the Tribunal:

(a) motion to refer - to send a matter or part of a matter to a specific person or decision body for their consideration;

(b) motion to defer - to postpone consideration of the matter to a specific time or until a specific event happens;

(c) motion to receive - to acknowledge a matter and take no further action;

(d) motion to amend - to vary the main proposal or propose an additional action;

(e) motion to adopt - to approve the main proposal as presented to the Tribunal.

(3) A motion does not need to be seconded.

(4) A motion relating to a matter not within the jurisdiction of the Tribunal is not in order.

3.13 VOTING

(1) Every Member present at a business meeting shall vote on every matter put to a vote, except a Member who declares a conflict of interest and absents themselves from the vote.

(2) The Secretary records as voting in the negative any Member present at a business meeting who does not or refuses to vote, except a Member who has declared a conflict of interest.

(3) Unless the Rules for Business Meetings state otherwise, a motion passes when a majority of Members present vote in favour of it.

(4) A motion does not pass if the same number of Members vote in favour and opposed.

(5) If a motion under consideration contains distinct propositions, a Member may request that the Tribunal vote on each proposition separately.

(6) If the Chair agrees that the matter contains distinct propositions, the Chair will rule that Members vote on each proposition separately.

(7) When a vote is taken the order of the vote will be as follows, unless otherwise decided by the Tribunal:

- (a) a motion to refer;
- (b) a motion to defer;
- (c) a motion to receive;
- (d) a motion to amend; and
- (e) the main proposal or main proposal as amended.

3.14 PROCEDURES FOR AGENDA ITEMS

- (1) The Tribunal generally considers an agenda item as follows:
 - (a) the Chair introduces the matter.
 - (b) the Tribunal may hear a presentation from City Officials on the matter.
 - (c) the Tribunal hears public presentations.
 - (d) a Member may question any person making a public presentation for up to 5 minutes including responses.
 - (e) a Member may ask City Officials questions on the matter for up to 5 minutes including responses.
 - (f) Members may speak and present motions on the matter for up to 5 minutes.
 - (g) Unless the Tribunal decides otherwise, a Member may ask questions or speak more than once, in multiple rounds, provided that every Member who wishes to speak or ask questions has done so in the previous round.
 - (h) After all Members have spoken, the Chair puts the matter and any motions to a vote.

3.15 MINUTES OF BUSINESS MEETINGS

- (1) The Secretary prepares the minutes of every business meeting and submits them to the Tribunal for confirmation at the following business meeting, or as soon as is reasonably practicable.
- (2) The Chair signs the minutes after the Tribunal adopts them.
- (3) The Secretary posts the adopted minutes online at toronto.ca/mthlt