



# Human Rights Tribunal of Ontario

## Applicant's Guide

Disponible en français

This Guide is available on the Internet at <http://www.hrto.ca> and in various accessible formats including audio tape and large print. For an alternative format or a paper copy, please contact the Human Rights Tribunal of Ontario, 655 Bay St. 14th Floor, Toronto, ON M7A 2A3, TEL: (416) 326-1312. or Toll Free: 1-866-598-0322, TTY (Toronto):(416) 326-2027 or (Toll Free):1-866-607-1240; FAX: (416) 326-2199 or Toll Free:1-866-355-6099

***Read each part of this guide as you fill out your Application. This Guide provides general information only. It should not be taken as legal advice or a determination of how the Tribunal will decide any particular issue.***

### Contents:

About the Ontario Human Rights Code .....	1
What is the role of the Human Rights Tribunal of Ontario?.....	2
Using this guide.....	2
Do you need help with your Application? .....	2
Learn more about rights and responsibilities under the Code .....	3
Do you need copies of Tribunal forms?.....	3
Understanding Discrimination .....	4
Defining discrimination under the Code.....	4
When does the Code not apply? Some examples of exceptions.....	4
Other Proceedings.....	4
Application where there is a civil court action based on the same facts. ....	4
Applications where another proceeding is reviewing the same facts.....	5
Applications that are the same or substantially the same as a complaint previously filed with the Ontario Human Rights Commission. ....	5
Completing Your Application.....	5
Contact information for the Applicant .....	5
1. Personal Contact Information .....	6
2. Alternative Contact Information .....	6
3. Representative Contact Information .....	6
Contact information for the Respondent	
4. Respondent Contact Information.....	6
Grounds of Discrimination .....	7
5. Grounds Claimed .....	7

Areas of Discrimination Under the Code	
6. Area of Alleged Discrimination.....	8
Facts that Support Your Application .....	9
7. Location and Date .....	9
8. What Happened .....	10
The Effect on You .....	10
9. How The Events you Described Affected You.....	10
The Remedy.....	11
10. The Remedy You are Asking For .....	11
Mediation.....	11
11. Choosing Mediation to Resolve Your Application.....	11
Other Legal Proceedings.....	12
12. Civil Court Action.....	12
13. Complaint Filed with the Human Rights Commission.....	12
14. Other Proceeding – in Progress .....	12
15. Other Proceeding – Completed.....	13
Documents that Support This Application	
16. Documents You Have. ....	13
17. Important Documents the Respondent Has .....	13
18. Important Documents Another Person or Organization Has .....	13
Confidential List of Witnesses .....	13
19. Witnesses.....	13
Other Important Information .....	14
20. Other information the Tribunal should know .....	14
Checklist of Required Documents	
21. Area of Discrimination Under the Code .....	14
22. Documents from questions 12-15 .....	14
Declaration and Signature	
23. Declaration and Signature ... ..	14
Accommodation Required.....	15
Requesting an Expedited (rush) Process.....	16
Where to Send Your Application.....	16
What Happens After You File Your Application .....	17

## About the Ontario Human Rights Code

The Ontario Human Rights Code is a provincial law that recognizes the dignity and worth of every person. The Code gives every person the right to equal treatment and equal opportunities in five areas (known as social areas):

- Employment
- Housing
- Goods, Services and Facilities
- Contracts
- Membership in trade and vocational associations (such as unions).

The Code protects the people of Ontario from being discriminated against or harassed on any of the following grounds:

- Race
- Colour
- Ancestry
- Place of origin
- Citizenship
- Ethic origin
- Disability
- Creed
- Sex, including sexual harassment, pregnancy, and gender identity
- Sexual orientation
- Family status
- Marital status
- Age
- Receipt of public assistance (**Note:** This ground applies **only** to claims about housing.)
- Record of offences (**Note:** This ground applies **only** to claims about employment.)

The Code also has sections that prohibit:

- Discrimination because a person has a relationship, association or other dealing with a person or persons who are identified by one of the grounds listed above. This falls under Association.
- Reprisal or threats of reprisal because a person has claimed rights or taken part in a proceeding under the Code.
- Reprisal or threats of reprisal because a person has refused to infringe on another's rights.
- Sexual solicitation or advances by a person who is in a position to give or deny a benefit.
- Reprisal or threats of reprisal for rejecting a sexual solicitation.

## **What is the role of the Human Rights Tribunal of Ontario?**

The Human Rights Tribunal is the body responsible for resolving Applications filed by individuals who claim that they have experienced discrimination or harassment. The Tribunal also resolves Applications filed by a person or organization filed on behalf of another person and Applications filed by the Ontario Human Rights Commission.

In most cases, the Tribunal will try to help both sides reach an agreement that settles the application.

Where an Application cannot be settled, the Tribunal will hold a hearing to decide whether discrimination or harassment took place. If the Tribunal finds that the Applicant experienced discrimination or harassment the Tribunal can make an order to address the discrimination or harassment. This can include ordering the Respondent to pay financial compensation to the applicant, and/or make orders to prevent further human rights violations. If the Tribunal finds that discrimination did not occur, it will dismiss the Application.

Whether through mediation or a hearing, the Tribunal works to resolve Applications on the basis of the facts and the law. The Tribunal's Rules and procedures are designed to deal with all Applications fairly and expeditiously, and in a way that ensures parties can understand and fully participate.

## **Using this guide**

If you believe that you have been discriminated against or harassed in one of the five areas noted above, use this guide to help you fill out an Application to the Human Rights Tribunal. The Tribunal will not be able to deal with your Application quickly if you have not completed the forms. You will need to fill out Form 1 and a special form that will ask you specific questions relating to the area you checked off.

## **Do you need help with your Application?**

This guide is not legal advice. The **Human Rights Legal Support Centre** gives free legal assistance to applicants to the Tribunal. The Centre can help you fill out your Application and also help you during the Tribunal process.

Human Rights Legal Support Centre  
180 Dundas Street West, 7th Floor Toronto, ON M7A 0A1

**Tel:** 416-314-6266  
**Toll Free:** 1-866-625-5179  
**TTY:** 416-314-6651  
**TTY Toll Free:** 1-866-612-8627  
**Website:** [www.hrlsc.on.ca](http://www.hrlsc.on.ca)

If you wish to hire a **private lawyer** and do not know one you can contact the Lawyer Referral Service, Law Society of Upper Canada. The telephone number is 1-900-565-4577 (1-900-565-4LRS). This number can be dialed from any private phone in Ontario. This is a phone-based service only. There is a fee for using this service, but it entitles you to 30 minutes of advice from a lawyer.

Or, you could check the Yellow Pages in your area.

**Community legal clinics** across the province provide free legal assistance to people who have low incomes. A community legal clinic may be able to assist you. You can find the community legal clinic for your area by looking under "Legal Aid" in your phone book. You can also check Legal Aid Ontario's web site at [www.legalaid.on.ca](http://www.legalaid.on.ca) or phone them:

Toll-free outside Toronto 1-800-668-8258, In Toronto 416-979-1446, Toll-free TTY 1-866-641-8867, TTY in Toronto 416-598-8867

There are also **community organizations** that may be able to help you. For example, if you believe you were discriminated against in your housing you may wish to contact the Centre for Equality Rights in Accommodation. You can contact CERA at [www.equalityrights.org/cera/](http://www.equalityrights.org/cera/) 340 College Street, Suite 101A, Box 23, Toronto, ON M5T 3A9 tel: 416-944-0087 OR 1-800-263-1139

### **Learn more about rights and responsibilities under the Code**

If you want general information about discrimination and the Code, visit [www.ohrc.on.ca](http://www.ohrc.on.ca) or phone 1-800-387-9080.

### **Do you need copies of Tribunal forms?**

Contact the Human Rights Tribunal of Ontario at

Richard Hennessy  
Registrar  
Human Rights Tribunal of Ontario  
655 Bay St. 14th Floor  
Toronto, ON M7A 2A3

Toronto: (416) 326-1312  
Toll Free: 1-866-598-0322  
TTY (Toronto): (416) 326-2027  
TTY (Toll Free): 1-866-607-1240  
Fax: (416) 326-2199  
Fax (Toll Free): 1-866-355-6099  
Email: [HRTO.Registrar@ontario.ca](mailto:HRTO.Registrar@ontario.ca)

## Understanding Discrimination

### Defining discrimination under the Code

The Ontario Human Rights Code is the law that defines **the situations where discrimination is not allowed**. Not all unfair conduct or unequal treatment is discrimination under the Code.

The Code says that every person has the right to have:

- equal treatment in the five **areas** (or social areas) named in the Code
- be free from discrimination or harassment on any of the listed **grounds of discrimination** named in the Code.

When a person believes that discrimination has happened to them, they have the right to apply to the Human Rights Tribunal of Ontario. When they do this, they are referred to as the **Applicant**.

On the Application Form (Form 1), the Applicant must name the people or organizations they believe are responsible for the discrimination being claimed. These people are called **Respondents**.

### When does the Code not apply? Some examples of exceptions

The Code includes some exceptions to the rule against unequal treatment based on a discriminatory ground. For example, the Code states that a person cannot be treated differently because of their age, but it allows different insurance rates based on age.

Another exemption occurs in housing. The Code allows an owner to refuse to rent to someone based on their gender or race if:

- the owner or his or her family also live on the premises, and,
- the owner or his or her family would be sharing a kitchen or bathroom with the tenant.

To find out if your situation falls within an exemption, contact the Human Rights Legal Support Center.

### Other Proceedings

#### **Application where there is a civil court action based on the same facts.**

In most cases, the Code does not allow you to apply if you have started a court action based on the same facts, if you are asking the court for a remedy for the human rights violation.

You **can** file an Application if the court action was withdrawn. You must attach a copy of the statement of claim to your application.

### **Applications where another proceeding is reviewing the same facts.**

Your complaint may also be part of another proceeding, such as:

- a grievance arbitration
- a hearing before the Workplace Safety and Insurance Appeals Tribunal, or
- a hearing before the Landlord and Tenant Board.

In these cases, you can still apply to the Tribunal, but there are special rules.

1. You must attach to your Tribunal Application a copy of the document that started the other proceeding.
2. If the other proceeding is still going on, the Tribunal may decide to postpone or defer your Application. You or the Respondent can also request a deferral.
3. If the other proceeding has dealt with the facts of your Application appropriately, the Tribunal may dismiss your Application. You will have an opportunity to explain why you believe the other proceeding did not appropriately deal with substance of this application.

### **Applications that are the same or substantially the same as a complaint previously filed with the Ontario Human Rights Commission.**

The Transitional provisions of the Code have special rules that deal with Complaints filed directly with the Ontario Human Rights Commission prior to June 30, 2008. In most cases the Code prevents an Applicant from making a new Application which is based on the same facts as a previously filed Complaint.

However, if between June 30, 2008 – June 29, 2009, there is an active complaint before the Commission, the Applicant may be able to file an Application with the Tribunal based on the same subject matter under special provisions of the Code and using special Rules established by the Tribunal. Refer to the “Applications under Transitional Provisions of the Code” section of the Tribunal’s website, or contact the Tribunal for information on these transitional cases.

## **Completing Your Application**

### **Contact information for the Applicant**

The Tribunal and all the other persons involved in this application will need a secure way to contact you. For this reason, we need your contact information.

It is very important that you provide the Tribunal with up to date contact information. If your contact information changes, you must let the Tribunal know immediately or you may miss important information or notices about your

Application. In some cases, if the Tribunal cannot contact you, your Application may be dismissed.

Contact information for the Applicant has three sections:

**1. Personal Contact Information.** Contact information for you, the Applicant. Make sure you give your complete contact information here. You must also tell us the best way for the Tribunal and other people to send you information about your Application. This address will be shared with the Respondent (the person you believe discriminated against you) unless you complete question 2.

**2. Alternative Contact Information.** Contact information for someone else to receive all correspondence relating to this Application if you do not want the Tribunal to share your contact information with other persons involved in this application or if you believe it will be difficult for the Tribunal to contact you at your current address.

**3. Representative Contact Information** (if you have one). If you have a representative, all communication from the Tribunal and the Respondent will go to your representative. You must give us their complete contact information. You must first check the box that authorizes this person to act as your representative.

**NOTE: You must tell the Tribunal the best way to send information to you - you can choose mail, email or fax. If you check off email as the best way to contact you, you will have consented to the Tribunal, the Respondent(s) and any other party delivering documents and other information to you by email.**

## Contact Information for the Respondent

### 4. Respondent Contact Information

You must give the Tribunal the names of **each person** and **each organization** that you believe is responsible for the discrimination. If you believe that a person discriminated against you while they were acting on behalf of an organization, you may want to name both the person and the organization. You should get legal advice if you have any questions on who the Respondent should be.

Each person and organization you name in this section will be a Respondent in your application. Give complete, correct contact information for each Respondent that you name. You can name more than one Respondent.

If you are naming a corporation or organization as the Respondent it is important that you provide us with the correct legal name of the Respondent. You may want to do a corporate search for the correct legal name of the Respondent.

## **Naming an Ontario government ministry or agency as a Respondent**

The Tribunal **does** hear complaints against the Ontario government. When you name the ministry or agency in your application, you must write it like this:

**Her Majesty the Queen in Right of Ontario, as represented by the Minister of**  
\_\_\_\_\_ *(Put in the name of the ministry or agency)*

## **Naming a federal government department as a Respondent**

The Tribunal **does not** hear applications against the federal government or its agencies.

## **Naming an organization that is federally regulated**

Generally, the Tribunal **does not** hear complaints about federally-regulated companies and industries. These include:

- Chartered banks
- Airlines
- Television and radio stations
- Telephone companies
- Buses and railways that travel between provinces.

If your application is directed at the federal government or a federal organization, contact:

Canadian Human Rights Commission  
344 Slater Street, 8th Floor, Ottawa, Ontario K1A 1E1  
Web: <http://www.chrc-ccdp.ca>  
Phone: (613) 995-1151  
Toll-free: 1-888-214-1090  
TTY: 1-888-643-3304  
Fax: (613) 996-9661

**Note:** just because a corporation is federally “incorporated” does not mean that it is federally “regulated”.

## **Grounds of Discrimination**

### **5. Grounds Claimed**

The Ontario Human Rights Code includes a list of specific **grounds** of discrimination. These are listed on your Application. Put an **x** in the box beside

each ground that you feel applies to the discrimination or harassment you have claimed.

You can check off more than one ground. For example, if you believe that you were discriminated against because you are a woman of African descent, you may choose to put an **x** beside Race, Colour, Ancestry, and Sex.

An example of discrimination on the basis of association is if you were denied housing because your partner is a racialized person.

An example of reprisal is if you were denied a promotion in your job because you filed an earlier human rights complaint.

## **Areas of Discrimination Under the Code**

### **6. Area of Alleged Discrimination**

The Ontario Human Rights Code names five areas of daily life in which discrimination is not allowed (also known as social areas). In your Application, put an **x** in the box for the area where you feel you have experienced discrimination.

You can only choose one area of discrimination. If you believe you were discriminated against in more than one area, you should check “yes” to the box that asks, “Does your Application allege discrimination in any other areas?” The Tribunal will then ask you to complete a special form for each area you believe you experienced discrimination.

Here are the areas and some examples of situations that would be included in each.

**Employment:** You cannot be discriminated against in getting and keeping a job, promotion, or a raise. You cannot be discriminated against in your working conditions or in workplace discipline. You have the right to be free of harassment because of a Code ground in the workplace.

For example, you cannot be sexually harassed at work.

**Housing:** The Code protects you in your “occupancy of accommodation” – the place where you live or want to live. This means, for example, you cannot be discriminated against in renting your home. You cannot be evicted on discriminatory grounds. You have the right to be free of harassment because of a Code ground by building management or other tenants.

For example, a landlord cannot deny you an apartment because you are an Aboriginal person.

**Goods, services and facilities:** You have the right to be free from discrimination when buying a product or getting a service, or using a building or facility that is open to the public. This includes equal treatment and freedom from harassment in privately-owned services or facilities, such as stores, restaurants and theatres. It

includes public services and facilities, such as police services, schools, education, health care, public transit, and government programs.

For example, a police officer cannot discriminate against you because you are Muslim.

**Contracts:** The Code protects you from discrimination in both written, oral (spoken) or signed (in the case of sign language) contracts. It covers all types of contracts, such as buying a house or a business.

For example, a condo corporation cannot refuse to sell you a condo because you have children.

**Membership:** Every person has the right to equal treatment in membership in a union, a trade or occupational association, or a self-governing profession.

For example, a union cannot refuse you membership because you are a woman.

### **Completing your area of discrimination forms**

You must fill out a special form for the area you selected. The forms are:

- Employment (Form 1-A)
- Housing (Form 1-B)
- Goods, services, and facilities (Form 1-C)
- Contracts (Form 1-D)
- Membership in a vocational association (Form 1-E)

### **The Facts that Support Your Application**

#### **7. Location and Date**

##### **A) Did these events happen in Ontario?**

If the events did not occur in Ontario, the Tribunal may not be able to deal with this application. In most cases, the Code applies only to discrimination that happened in Ontario.

##### **B) In what city or town?**

If the discrimination happened in more than one place, give the name of each place.

##### **C) What was the date of the last event or incident of discrimination?**

In most cases, you must file your application within **one year** of the date on which the event happened, or if there was a series of events, within one year of the last event. The Tribunal may extend this time if you have a good reason for filing late, such as being in the hospital or jail, or not finding out about the discrimination until more than a year had passed.

D) If you have a good reason for filing late, fill out the actual date of the event, but explain why you are applying more than one year from the last event.

## 8. What Happened

Tell the Tribunal what happened to you that makes you believe that you were discriminated against. It is important that you start from the beginning. Explain each event in detail. For each event, include:

- **what** happened
- **who** was involved
- **when** it happened (day, month, year)
- **where** it happened.

If your Application is about a policy or practice that has a negative impact on you, be sure to describe the policy or practice and describe how its impact on you is related to a Code ground.

It may not be possible for you raise new incidents of discrimination at the hearing if they are not mentioned in the Application. It is therefore very important to include every incident of discrimination and every fact and issue you wish to speak about in the hearing or the mediation.

You can tell your story using numbered paragraphs or in point form. We encourage you to tell your story in chronological order. Start from the beginning and end on the date of the last incident. Be sure to tell us of every incident and explain each one.

Provide as much detail as possible, tell us exactly what happened, who was there when it happened, when it happened and where it happened. Also, if the way you were treated is different from the way other people are treated be sure to explain that as well.

### The Effect on You

## 9. How the Events you Described Affected You

Explain how the discrimination affected you (financial, social, health, or other). For example:

- If you lost money or income because of the discrimination, give details.
- If your emotional or mental health suffered, describe this problem and how it affected you.
- If you lost an opportunity (such as a promotion or new apartment) because of the discrimination, explain how.

## The Remedy

### 10. The Remedy You are Asking For

The Ontario Human Rights Code gives the Tribunal broad power to make orders and to award remedies. Check the remedy or remedies you are asking for from the Respondent. Explain what you want and why.

There are three types of remedies the Tribunal can order if discrimination is found:

#### Financial Remedy

The Tribunal can make an order for money or “damages”. There are different kinds of damages:

- **Special damages** compensate you for money that you have lost or been forced to spend because of the discrimination, such as lost wages and benefits, increased rent, or moving expenses.
- **General damages** compensate you for injury to your dignity, feelings, and self-respect as a result of the discrimination.
- **Interest** can be ordered on the amount of money that is awarded as damages

#### Other Specific Remedy

The Tribunal can also order the Respondent to do something that will put you in the position you would have been in if the discrimination had not happened. For example, if you lost your job because of the discrimination the Tribunal could order that you get your job back. Or, if your employer refused to meet your particular Code related needs the Tribunal could order him or her to do so.

#### Public Interest Remedy

A public interest remedy is not a punishment. It is an action that the Respondent can be ordered to take to prevent similar discrimination from happening in the future. For example, the Tribunal could order the Respondent to change hiring practices, develop new policies, or have all staff receive training on a human rights policy.

## Mediation

### 11. Choosing Mediation to Resolve Your Application

Mediation is one of the ways the Tribunal tries to resolve disputes. It is a less formal process and can achieve a resolution more quickly than a hearing. The Tribunal’s mediation process can be very successful in helping both sides reach an agreement, and still give the parties an opportunity to be heard.

Mediation is voluntary. Mediation can only happen if both parties agree to it. A Tribunal Member will be assigned to mediate your Application. The Member will meet with all the parties to talk about the Application and to try and work out a solution that all parties can accept. If mediation does not settle all the issues, a hearing will still take place and a different Member will be assigned to hear the case. Mediation is confidential.

If you want to try mediation, put an **x** in the “Yes” box on the form. The Tribunal encourages you to try mediation.

### **Other Legal Proceedings**

The Code has rules about whether you can file an Application when there is or has been another legal proceeding with the parties and the same or substantially the same facts as your Application. Based on what you tell us in these questions, we will be able to decide whether the Tribunal can accept your Application. The information will also help us decide whether your Application should go ahead or be deferred (postponed).

#### **12. Civil Court Action**

Tell us whether there is a past or current court action in which you asked for a ruling and a remedy on the same human rights violation that is the subject of this Application.

If the court action is current, but does not ask for a remedy based on the human rights violation, tell us whether you would like the Tribunal to defer (postpone) the hearing of the application until after the court action is completed.

If you ask that the Application be deferred, the Tribunal will ask both you and the Respondent(s) to tell us why it should, or why it should not be deferred.

#### **13. Complaint Filed with the Human Rights Commission**

Tell us whether you have ever filed a complaint with the Ontario Human Rights Commission that is about substantially the same subject matter as in this Application.

#### **14. Other Proceeding – in Progress**

Tell us about any other type of proceeding – other than a court or Human Rights Code proceeding -- that is considering the same subject matter as in this Application. For example, a grievance arbitration or a hearing before the Social Benefits Tribunal.

If the other proceeding is on-going, tell us if you are asking the Tribunal to defer (postpone) the hearing of the Application until after the other proceeding is completed.

If you ask that the Application be deferred (postponed), the Tribunal will ask both you and the Respondent(s) to tell us why it should, or why it should not be deferred (postponed).

### **15. Other Proceeding – Completed**

Tell us about any other type of proceeding that was completed in the past, based on the same subject matter as in this Application.

Under the Code, the Tribunal may dismiss an Application where it believes that another proceeding has appropriately dealt with the substance of an Application. Tell us why you believe the other proceeding **did not** appropriately deal with the substance of this Application.

**Note:** If you answer “Yes” to any of the questions in other legal claims, you must attach the documents we requested to your Application.

### **Documents that Support This Application**

List the **most important** documents that you believe will support your Application.

The Application asks you to list separately:

**16. Important Documents You Have.** Please list the important documents that you have. Be sure to indicate any documents in which you claim privilege.

**17. Important Documents the Respondent Has.** Please list the important documents that the Respondent has that you do not have.

**18. Important Documents Another Person or Organization Has.** Please list the important documents that someone else has that you do not have.

You do not have to send us the documents right now. The Tribunal will send you and the Respondent(s) a notice to tell you when it is going to hear your case. The notice will explain that you and the Respondent(s) have twenty-one (21) days to exchange **all** documents relevant to your case.

If you do not receive documents that you need, read the Tribunal Rules, Guides or Practice Directions to find out how to get the documents.

The Tribunal’s Rules and Practice Directions can be found on our website or you can contact us by telephone to obtain a copy.

### **Confidential List of Witnesses**

#### **19. Witnesses**

List here the names of witnesses who have important information that will support your application. Explain why their information is important.

**Note:** This part of your application will be kept confidential by the Tribunal. We will not send this page of your application to the Respondent(s) when we give them a copy of your application.

## **Other Important Information**

### **20. Other information the Tribunal should know**

This is your opportunity to tell the Tribunal any other information that you believe is important but did not fit into any other question on the Form. For example, it may be important to tell the Tribunal if you are aware of other similar or related applications filed against the same Respondent.

## **Checklist of Required Documents**

Use this checklist to make sure that you have attached or will send all of the documents you need to make your Application complete. You can send the documents attached to your Application, or separately by mail, fax or email. If sent separately, you must clearly write your name and the Respondent(s) name on each document and send them to the Tribunal within five (5) business days.

### **21. Area of Discrimination Under the Code**

You are required to complete the form that relates to the area you checked off in question 6. If you are completing the Application on paper, be sure to attach the form. If you are completing the Application on-line, the form will attach to your Application.

### **22. Documents from questions 12-15**

If you answered yes to being involved in another legal proceeding, you must send the Tribunal the document referred to.

## **Declaration and Signature**

### **23. Declaration and Signature**

Before you sign your application, carefully read:

- the statement on Freedom of Information and Privacy
- the declaration that goes above your signature.

## **Freedom of information and protection of privacy**

The Tribunal will use the information you have sent us to deal with your Application and to fulfill our responsibilities under the Human Rights Code.

The information in your application, as well as other information about your case, may become public in the course of the Tribunal processes. For example, your information will become public at the hearing and in the Tribunal's decision.

The law requires the Tribunal to share your Application and any filed Response with the Ontario Human Rights Commission, if requested.

Your information could also become public in response to a request to the Tribunal under the Freedom of Information and Protection of Privacy Act.

The Tribunal has policies for responding to requests for information, as well as requests to keep information private. Our responses are based on balancing privacy interests with the public's interest in having a transparent legal process.

By signing your Application, you are declaring that you understand your information can become public in these ways.

Signing your Application

When you sign your application, you declare that your application is as complete and accurate as you can make it. Do not sign until you are sure that you can declare this.

If you are filing your application electronically, clicking the box in the Declaration section represents your legal signature.

## **Accommodation Required**

The Tribunal will accommodate your Code related needs in accordance with our Accessibility Policy found at [www.hrto.ca](http://www.hrto.ca) or you can contact the Tribunal to send you a copy.

If you require accommodation to participate in the Tribunal processes contact the Registrar at:

Richard Hennessy  
Registrar  
Human Rights Tribunal of Ontario  
655 Bay St. 14th Floor  
Toronto, ON M7A 2A3

Toronto: (416) 326-1519  
Toll Free: 1-866-598-0322  
TTY (Toronto): (416) 326-2027

TTY (Toll Free): 1-866-607-1240  
Fax: (416) 326-2199  
Fax (Toll Free): 1-866-355-6099  
Email: HRTO.Registrar@ontario.ca

### **Requesting an Expedited (rush) Process**

You can ask the Tribunal to expedite (rush) your application process if there are special, urgent circumstances that could affect the hearing or cause you harm. To do this, you must include a Form 14 with your Application, explaining what the urgent circumstances are. You can get a copy of Form 14 at [www.hrto.ca](http://www.hrto.ca) or by contacting the Tribunal.

### **Where to Send Your Application**

If you are completing your Application on-line you will have sent the Tribunal your Application when you press “submit”.

You can also send you Application by mail to:

Richard Hennessy  
Registrar  
Human Rights Tribunal of Ontario  
655 Bay St. 14th Floor  
Toronto, ON M7A 2A3

Or you can send your Application by email at [HRTO.Registrar@ontario.ca](mailto:HRTO.Registrar@ontario.ca)

Or you can send your Application by fax at (416) 326-2199 or (Toll Free): 1-866-355-6099.

**Note:** Submit/ send your Application **only once**. If the Tribunal receives this Application more than once, we will only accept the first Application received.

## **What Happens After You File Your Application**

Here are the stages in the process after the Tribunal has received your Application:

1. Tribunal staff will review your Application to make sure that it is complete. If you do not complete all the required sections, the Tribunal will return your Application to you, explaining how your Application is incomplete and asking for the missing information. The Tribunal will not accept your Application until it is complete.
2. We will assign a file number to your Application. Use this number in all future communications with the Tribunal.
3. We will look at your Application to see if it falls within the scope of the Human Rights Code, and the Tribunal has the power to deal with the Application. Tribunal staff will also check for any reason why the Tribunal should defer or postpone dealing with your Application. If there is a reason to defer or the Tribunal does not have the power to deal with your Application, we will give you notice and an opportunity to tell us why you believe we should deal with your Application.
4. Once your Application is accepted, we will send a copy of the Application to the Respondents that you name in your Application. The Tribunal will remove the list of witnesses and the your personal contact information (if you have given us an alternative contact address) from the copy we send to the Respondent. We will ask them to complete a Response form.
5. We will send you a copy of the Response form. If a Respondent has raised any new matters, you will have the opportunity to file a Reply, setting out your position on the new matters raised.
6. If both you and the Respondent have agreed to try mediation, we will schedule a time when you both can meet with a Tribunal mediator. The mediator will help both sides to come to an appropriate settlement.
7. If your Application goes ahead without mediation, or if mediation is not successful, we will schedule a hearing.