



March 13, 2024

By Email

Joe Horneck
Acting Mayor
City of Mississauga

Dear Mayor Horneck,

Thank you for sharing your letter of February 5, 2024 to the Premier, Attorney General and Minister of Municipal Affairs and Housing. We would like to take the opportunity to address some of the concerns raised in your letter.

To begin, we wish to assure you that we are actively working to address recommendations made by the Ontario Ombudsman. In November, we provided the Ombudsman with an update on the progress that has been made to date, and we were pleased to report we had implemented approximately 60% of the recommendations, with work underway to address the balance.

However, we understand that there is more work to do, and the impact that service delays have on those who access LTB services. Our focus is on eliminating the LTB's backlog and improving service delivery. Over the last few months, the LTB has made progress toward minimizing service delays, despite an increase in application intake in 2023. Areas where LTB has made considerable progress include the following:

- 40% more hearings were scheduled in 2023 than in 2022.
- Urgent matters are now being heard, on average, within 5 to 6 weeks. This is a substantial improvement from earlier in 2023 when urgent hearings were scheduled within 8-10 weeks.
- L1 and L9 applications, which comprise over half of LTB's total applications, are now typically scheduled within around 4 months (previously 8 to 10 months).
- The vast majority of orders are now being issued within 30 days or less of the hearing.
- Adjudicator recruitment has been and continues to be a priority. In April 2023, there were 39 full time and 45 part time adjudicators at the LTB. As of March 1, 2024, the LTB has 75 full time and 58 part time adjudicators.

These improvements occurred while the LTB received approximately 84,000 applications (a 31% increase over 2022) and resolved approximately 83,000 (a 45% increase over 2022).

We also wish to acknowledge your concerns about Tribunals Ontario's digital first model. We know that while technology improves access to the tribunal process for most, for some it creates additional barriers. This is why our approach is digital-first but not digital only. Ensuring access to justice is a top priority at Tribunals Ontario and at the LTB and as a result, we have taken several steps to support users who do not have access to technology or who need additional support to fully participate in the dispute resolution process.

For example, last year we expanded the availability of our access terminals. Access terminals are locations where telephone, computer and internet access are available for parties to participate in their virtual proceeding where they do not have access to a computer or the internet. We originally started with five access terminal locations in larger urban centres (Toronto, Ottawa, London, Hamilton, and Sudbury), but last year introduced our mobile access terminal (MAT) service where we can provide technology support almost anywhere in the province (for example, we note that in addition to hearings held in urban locations with the aid of a MAT, a MAT hearing was held in Wawa, Ontario).

To assist parties join their proceeding by phone, we also have a [free phone and top-up minutes program](#) which provides phones or free top-up minutes to parties who have limited plans.

We realize that not all parties can access information about these services on the Tribunals Ontario website. To ensure that parties are aware of these and other services available to them, and that they understand the accommodation process, Tribunals Ontario developed an Accommodation Information Sheet last year which is sent to all parties early in the LTB process so they know of the different services available should they require an accommodation (for example, the use of an access terminal, and the possibility for a change to their hearing format should the scheduled format not meet their needs). Importantly, parties receive the information sheet by regular mail. We employed plain language in developing these materials to ensure they are readily understood and user friendly. All these initiatives are aimed at increasing access to justice for our users, so they can fully participate in the LTB's process.

We have also developed support resources, including [information sheets](#) and [YouTube videos](#), to help ensure users have the digital skills and literacy to be full and active participants in their video hearings. Links to these resources are provided in the LTB Notices of Hearing so landlords and tenants can prepare and ask questions in advance of their hearing.

Further, the LTB launched a technical support service last year to help hearing participants troubleshoot any technical issues they may face while joining their hearing on Zoom. Anyone experiencing a technical issue joining their hearing can either call or email a dedicated phone line/email address, and staff will help these individuals join

their hearing. Staff will also alert the adjudicator that the party is having technical difficulty, thereby avoiding adjournments due to technical issues.

The support line has been a success. Since its launch in April 2023 and up to January 31, 2024, the LTB has handled 1,481 inquiries, and staff been able to successfully connect 85% of parties experiencing issues to their hearing. Where the technical issue is not resolved, adjudicators are made aware.

We also wish to assure you that we have options in place for those who cannot file or receive documents electronically. Parties who cannot use our new case management system (the Tribunals Ontario Portal) to file their applications or documents can continue to do so by mail or courier, or in person at 66 ServiceOntario locations throughout the province. Currently, there are five ServiceOntario locations in the Central region that accept applications and documents on behalf of LTB. We have also been working with ServiceOntario to continually increase the number of locations that will accept in-person filings, including in Mississauga.

To be clear, use of the portal is not mandatory. The LTB will also continue to mail out documents to parties who are not able to access the portal.

Further, we wish to address the request that the LTB return to its pre-pandemic scheduling model where hearings were held in-person and your reference to the findings from the Advocacy Centre for Tenants Ontario suggesting that the virtual hearing model has adversely impacted tenant participation at hearings.

In 2022, Tribunals Ontario resumed in-person hearings for approved accommodation-based requests, including at the LTB. If a party believes that an in-person hearing is needed to allow them to fully participate in their hearing, they can request an accommodation. In the fiscal years ending March 31, 2022 and 2023, LTB received approximately 61,600 and 73,200 applications respectively, and only 255 and 203 requests for in-person hearings, again respectively. This represents less than 0.5% of all applications filed each year, signalling that the vast majority of users prefer virtual hearings to in-person hearings. In terms of tenant participation in virtual hearings, the rate of participation has remained on par with the in-person attendance rate pre-pandemic.

That said, we are always open to hearing from our users and stakeholders on how we can improve our processes, as we focus on the user experience at all our tribunals. Last year, we implemented a new survey at all our tribunals to obtain user feedback on the virtual hearing experience. Overall, 32% of survey respondents identified as self-represented, and of them, 80% reported having a positive experience and 92% reported being comfortable using Zoom.

We recognize that more remains to be done but we have an action plan in place to ensure that the progress achieved in 2023 carries forward into 2024. This action plan includes a robust scheduling approach which will include all application types being scheduled weekly, as well as increasing the number of L2, L10 and tenant blocks.

We appreciate you sharing your letter with us. We thank you for your patience as we continue to work on service improvements.

Sincerely,



Ian Speers
Associate Chair



Lindiwe Bridgewater
Acting Registrar