



RESIDENTIAL LANDLORD-TENANT DISPUTES 2021: *Essentials for Lawyers and Paralegals*

Get expert perspectives on some of the most important and topical areas of residential tenancies law affecting your practice.

Join an expert faculty of practitioners as they examine the key caselaw and administrative/procedural developments including:

- Recent amendments to the *Residential Tenancies Act* (the impact of Bill 184)
- Landlord and tenant perspectives on some of the most topical areas such as evictions resulting from repairs and renovations and the new process for section 82 claims
- Recent case law affecting your practice
- The *Human Rights Code* in residential tenancies (the year in review)
- Landlord and Tenant Board procedural changes as a result of COVID-19 and other key practice developments

Register today at:

osgoodepd.ca/llt

Program Chairs

Jack Fleming
Executive Director,
North Peel & Dufferin
Community Legal Services

Joe Hoffer
Cohen Highley LLP

Date and Time

Friday, April 16, 2021
9:00 a.m. – 5:00 p.m. EDT

Online Replay: May 27, 2021

Location

ONLINE – Live & Interactive

*You will have online access
to the program for 120 days.*

Residential Landlord-Tenant Disputes 2021:

Essentials for Lawyers and Paralegals

This annual update is **must-attend** for any landlord or tenant practitioner.

Practitioners from both landlord and tenant perspectives, with many years' experience litigating residential tenancies issues, will provide you with a comprehensive overview of all the crucial elements and changes from the past year affecting your practice.

Topics Include

- Overview of recent developments in residential tenancies including legislative amendments (Bill 184), significant decisions from the Landlord and Tenant Board and appeal courts
- Evictions resulting from repairs and renovations
- Pre-hearing repayment agreements
- Relief from eviction for COVID-19 reasons
- The new process for section 82 claims
- Landlord and Tenant Board practice and procedure changes from the past year
- Practical and legal issues with respect to procedural fairness and access to justice
- Human rights issues in housing from the past year
- The impact of the new LTB hearing processes on accessibility for persons with disabilities

Who Should Attend

- Lawyers and paralegals who appear at the Landlord and Tenant Board

“The program provided a thorough review of some common issues. It also looked at some of the interesting developments we have seen in the law. It brought to light issues I had not previously considered.”

Jonathan K. Hurter, Legal Counsel, Real Estate Council of Ontario

“Great insight from presenters with knowledge and experience.”

Jean-Marc Lefebvre, Q.C., Lefebvre Professional Corporation

Agenda

8:45 a.m.

Program Login

9:00 a.m.

Chairs' Introduction and Opening Remarks

Jack Fleming, Executive Director, North Peel and Dufferin Community Legal Services

Joe Hoffer, Cohen Highley LLP

9:05 a.m.

Essential Update: Recent Developments in Residential Landlord-Tenant Law

Jack Fleming, Executive Director, North Peel and Dufferin Community Legal Services

Joe Hoffer, Cohen Highley LLP

A great refresher on those cases and other developments from the past year. This essential update will cover:

- The recent major amendments to the *Residential Tenancies Act*: The impact of Bill 184
- No-fault evictions and transfer of jurisdiction: from Small Claims Court to the Landlord and Tenant Board
- Recent decisions from both the Landlord and Tenant Board and the appeal courts
- The effects of COVID-19: advocacy in a virtual hearing room

10:15 a.m.

Break

10:30 a.m.

Landlord vs. Tenant: Clashing Perspectives

Moderator: **Joe Hoffer**, Cohen Highley LLP

Jane L. Ferguson, Barrister & Solicitor

Jack Fleming, Executive Director, North Peel and Dufferin Community Legal Services

Rachel Gibbons, Horlick Levitt Di Lella LLP

Jamie Hildebrand, Executive Director,
Huron Perth Community Legal Clinic

Experienced practitioners from both sides square off on some key and very timely issues.

Topics include:

- Landlord's own use evictions
- Evictions resulting from repairs and renovations
- Consent orders and pre-hearing repayment agreements
- Relief from eviction for COVID-19 reasons
- Section 82 claims: new process

12:30 p.m.
Lunch Break

1:15 p.m.

Procedural Changes (Post-COVID)

Eli Fellman, Legal Counsel, Tribunals Ontario

Jamie Hildebrand, Executive Director,
Huron Perth Community Legal Clinic

Kristin Ley, Cohen Highley LLP

COVID-19 has presented a number of challenges to both landlord and tenant practitioners. This panel will examine all of the recent changes that have occurred as a result of the pandemic. These include:

- Telephone hearings, video hearings, etc.
- Disclosure of evidence and filing requirements for Landlord and Tenant Board forms
- Case Management Hearings and the consequences of non-attendance
- Other changes as a result of COVID-19

2:15 p.m.

Procedural Fairness and Access to Justice

Doug Levitt, Horlick Levitt Di Lella LLP

Lee Webb, Housing Team Lead,
Community Legal Clinic of York Region

This panel will discuss the practical and legal challenges faced by the Landlord and Tenant Board and practitioners in ensuring full, fair and expeditious processing to applications at the LTB.

3:15 p.m.
Break

3:30 p.m.

The Human Rights Code in Residential Tenancies

Joe Myers, Lawyer/Director, Willowdale Community Legal Services

Caryma Sa'd, Law Office of Caryma Sa'd

You'll hear from both tenant and landlord practitioners as they discuss the relationship between *The Human Rights Code* and residential tenancies law. Analysis and discussion will include:

- Recap of human rights issues in housing from the past year
- The issue of balancing the interests of the complainant vs. neighbouring tenants
- The impact of new Landlord and Tenant Board hearing processes on accessibility for persons with disabilities
- Advising persons with accessibility issues and navigating the Landlord and Tenant Board process to ensure a full and fair hearing

4:30 p.m.

Ethics and Professionalism for Residential Landlord-Tenant Law Practitioners

Jack Fleming, Executive Director,
North Peel and Dufferin Community Legal Services

Joe Hoffer, Cohen Highley LLP

- The duty of lawyers and paralegals in dealings with courts and tribunals
- Whether "exaggerated hyperbole" is permissible when making submissions

to adjudicators and triers of fact

- The duty of lawyers and paralegals when advising clients in their use of social media
- The risks associated with the use of electronic communications and whether the Rules of Professional Conduct adequately addresses them
- The use of the chat function in virtual hearings when one is not a party
- The issue of recording virtual hearings

5:00 p.m.
Program Concludes

"This was the best Landlord/Tenant CPD program I have ever been to!"

Sheila Warner, Tenant Rights Paralegal,
Aboriginal Legal Services

"Within the first half-hour of the program, I learned some valuable information which essentially paid for the course. Thank you!"

Paul Kyte, Paralegal,
Paul Kyte Professional Corporation

"Very diverse group of speakers who cater to a variety of attendees. Thank you for providing some excellent materials. Course binders are A+!"

Conner Godin, STAMM Investments Limited

"All of the sessions were very informative. I learned a lot and it was interesting from beginning to end."

Karen Scott, Paralegal,
HGR Graham Partners LLP

"It was very practical. Thank you."

Jeannette Savoie, Family Lawyer, Legal Aid
Commission of Northwest Territories

Chairs

Jack Fleming
Executive Director,
North Peel & Dufferin
Community Legal Services

Joe Hoffer
Cohen Highley LLP

Faculty

Eli Fellman
Legal Counsel,
Tribunals Ontario

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Jamie Hildebrand
Executive Director,
Huron Perth Community
Legal Clinic

Lee Webb
Housing Team Lead,
Community Legal Clinic of
York Region

Joe Hoffer
Cohen Highley LLP

Registration Details

Fee per Delegate: \$545 plus HST

Newly Licensed Rate (2018 – 2021): \$272.50 plus HST

Fees include attendance, electronic program materials and technical support. Group discounts are available. Visit www.osgoodepd.ca/group-discounts for details. Please inquire about financial assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 14 days prior to the program date. If a cancellation request is made with less than 14 days notice, a \$75 administration fee will apply. No other refund is available.



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Eligible CPD Hours – LSO (ON): 7h 10m (5h 10m Substantive; 1h 30m Professionalism; 30m EDI)






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“Good program. I really appreciated the case law provided.”

Bruce Parsons, Paralegal

“Materials will serve as a useful resource!”

Stephen Fielder, Paralegal

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 **416.597.9724** **1 Dundas Street West, Suite 2600**
 **@OsgoodePD** **Toronto, ON Canada M5G 1Z3**



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