

RESIDENTIAL LANDLORD-TENANT DISPUTES 2023: *Essentials for Lawyers and Paralegals*

“Excellent presenters and great material!”

Melissa Bradley
Community Legal Assistance Sarnia (2022)

Get expert perspectives on some of the most important 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:

- Landlord and tenant perspectives on topical areas such as damages for wrongful eviction and new remedies for landlords
- *The Human Rights Code* in residential tenancies (the year in review)
- Recent significant decisions affecting your practice
- Procedural changes at the Landlord and Tenant Board and other key practice developments

Register today at:

osgoodepd.ca/llt

PROGRAM CHAIRS

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

Kristin Ley
Cohen Highley LLP

REGISTRATION OPTIONS

April 21, 2023:
Online (Live)
9:00 a.m. – 5:00 p.m. ET

OR

June 12, 2023:
Online (Replay)
9:00 a.m. – 5:00 p.m. ET

Can't make the date?
Registration includes 120-day unlimited, online access to the recorded program.

Residential Landlord-Tenant Disputes 2023:

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

- Guests and additional occupants: Trespass notices against tenants' guests and tenants increasing the number of occupants past what was contemplated when signing the lease
- The role of tribunal counsel
- The use of an N11 agreement instead of an eviction notice
- Judicial notice and systemic evidence
- Repudiation of agreement before taking possession
- Sections 48.1 and 49.1 compensation, *2212369 Ontario Inc. v. Vora*
- Returning tenant to possession, *Minas v. Adler; Schram v. Thompson*
- The duty of fairness, *Pinto v. Regan* (applying *Bhasin* and *Hrynew*)
- The merits of in-person hearings
- Two tiered tenancies: When landlords differ

Who Should Attend

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

“As always, the content in this annual update was well presented and thoroughly explained.”

Ashley Bouman, Paralegal (2021)

“Great insight from presenters with knowledge and experience.”

Jean-Marc Lefebvre, Q.C., Lefebvre Professional Corporation (2020)

Agenda

9:00 a.m. ET

Chairs' Introduction and Opening Remarks

Jack Fleming

Executive Director, North Peel and Dufferin Community Legal Services

Kristin Ley

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

Kristin Ley

Cohen Highley LLP

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

- Sections 48.1 and 49.1 compensation, *2212369 Ontario Inc. v. Vora*
- Returning tenant to possession, *Minas v. Adler; Schram v. Thompson*
- Duty of fairness, *Pinto v. Regan* (applying *Bhasin* and *Hrynew*)
- The merits of in-person hearings
- Two tiered tenancies: When landlords differ

10:15 a.m.

Break

10:30 a.m.

Landlord vs. Tenant: Clashing Perspectives

Yodit Edemariam

Director of Legal Services, Rexdale Community Legal Clinic

Jack Fleming

Executive Director, North Peel & Dufferin Community Legal Services

Rachel Gibbons

Horlick Levitt Di Lella LLP

Joe Hoffer

Cohen Highley LLP

This highly anticipated annual panel will feature experienced practitioners from both sides squaring off on some key and very timely issues, including:

- Damages for wrongful eviction and new remedies for landlords
- Guests and additional occupants: Trespass notices against tenants' guests and tenants increasing the number of occupants past what was contemplated when signing the lease
- Window air conditioners
- Restoring a tenant to possession
- The use of an N11 agreement instead of an eviction notice
- Judicial notice and systemic evidence
- Repudiation of agreement before taking possession

12:30 p.m.

Lunch break

1:15 p.m.

Procedural Changes

Melissa Anjema

Cohen Highley LLP

Joe Myers

Lawyer/Director, Willowdale Community Legal Services

This session, focused on the practical, will provide you with a thorough update on major procedural changes at the Landlord and Tenant Board from the past 12 months.

2:00 p.m.

The Role of Tribunal Counsel

Eli Fellman

Counsel, Tribunals Ontario

An experienced legal practitioner with Tribunals Ontario will provide a comprehensive overview of the role of tribunal counsel as it relates to residential tenancies matters.

2:30 p.m.

Novel Tactics by Landlord and Tenants

Doug Levitt

Horlick Levitt Di Lella LLP

Samuel Mason

Staff Lawyer & Clinic Instructor, Housing Rights Division, Parkdale Community Legal Services

In this session, you'll hear both perspectives on novel tactics employed by landlords and tenants in relation to:

- Protests against landlords (both online and on-site)
- Defamation suits
- Threats to evict protesting tenants

3:15 p.m.

Break

3:30 p.m.

The Human Rights Code in Residential Tenancies

Caryma Sa'd

Law Office of Caryma Sa'd

Lee Webb

Manager of Services and Education, Centre for Equality Rights in Accommodation (CERA)

The interrelationship between *The Human Rights Code* and residential tenancies law is thoroughly examined in this session as you'll hear a recap of all the human rights issues in housing from the past year.

4:30 p.m.

Ethics and Professionalism for Residential Landlord-Tenant Law Practitioners

Jack Fleming

Executive Director, North Peel and Dufferin Community Legal Services

Kristin Ley

Cohen Highley LLP

In this final session, you will analyze some of the key professional challenges confronting today's residential tenancies law practitioner including one's obligations under the Rules of Professional Conduct to report threats of violence.

5:00 p.m.

Program Ends

"An excellent program! All of the speakers were very well prepared."

Patty Duwyn, Paralegal, Boardwalk General Partnership (2021)

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

Sheila Warner, Tenant Rights Paralegal, Aboriginal Legal Services (2019)

"Within the first 1/2 hour of the program, I learned some valuable information which essentially paid for the course. Thank you!"

Paul Kyte, Paralegal, Paul Kyte Professional Corporation (2018)

"It was very practical. Thank you."

Jeannette Savoie, Family Lawyer, Legal Aid Commission of Northwest Territories (2017)

"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 (2016)

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Chairs

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North Peel & Dufferin
Community Legal Services

Kristin Ley
Cohen Highley LLP

Faculty

Melissa Anjema
Cohen Highley LLP

Eli Fellman
Legal Counsel
Tribunals Ontario

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Joe Myers
Lawyer/Director
Willowdale Community
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Caryma Sa'd
Law Office of Caryma Sa'd

Lee Webb
Manager of Services
and Education
Centre for Equality Rights
in Accommodation (CERA)

Registration Details

Fee per Delegate: \$595 plus tax

Newly Licensed*: 50% off regular rate plus tax

**This fee applies to newly licensed regulated professionals within the past 2 years*

Fees include attendance, electronic program materials, technical support and 120-day access to the program archive. 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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(6h 10m Substantive; 30m Professionalism; 30m EDI).



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“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 (2019)

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