**Tribunals Ontario**

**Assessment Review Board**

**Frequently Asked Questions About ARB Changes**

**July 2019**

If you have other questions or require clarification on any of these FAQs, please contact the ARB Registrar.

What changes are being proposed?

There are three main changes being proposed:

* Shortening the Schedule of Events of General Proceedings to 40 weeks from its current 66 or 104 week length.
* Changing the term “settlement conference” to “case conference” to align with other Tribunals.
* Removing all references to mediation from the Rules because case conferences are the only opportunity for mediation services before the Board.

Why is Tribunals Ontario making these changes to the ARB mid-cycle?

Tribunals Ontario has a mandate to ensure that appeals are resolved in a timely and cost efficient manner. The changes that Tribunals Ontario is proposing will move appeals through the process more quickly and streamline the types of appearances before the Board, while maintaining a sustainable service delivery model.

What consultation will there be on these changes?

Feedback on the draft Rule changes will be accepted for two weeks after posting on the website. Comments and suggestions from stakeholders and the public will be considered by Tribunals Ontario before any Rule changes are implemented.

Which appeals will have new Schedules of Events?

For both general and summary proceedings, appeals with a commencement date of October 15, 2019, or later, will be assigned the new Schedule of Events attached to the draft Rules. Properties that have only outstanding appeals from before the 2017 taxation year will be assigned a new commencement date in the upcoming months and an expedited Schedule of Events. The ARB has reviewed its processes and identified opportunities to streamline appeals based on overall experience to date.

Why is the term “settlement conference” being changed to “case conference”?

The proposed Rule changes would rename “settlement conference” to “case conference” to reflect the fact that the settlement conference process includes case management of hearings if an appeal is not resolved. There will be no substantive changes to the current settlement conference process.

Why is mediation being removed as an option?

Although the proposed Rule changes would delete references to mediation, mediation services will continue to be available during the case conference process (formerly known as the settlement conference process, see above).

Is the Expedited Board Direction Form (EBDF) process still available should the parties need directions from the Board?

Yes, the EBDF process continues and remains unchanged.

Will there be more changes in the future?

Tribunals Ontario is reviewing the operations of all its boards and tribunals. Once the review is complete, the Board will determine if any further changes will be introduced for the next cycle.

 Do all hearings have to be done electronically instead of in person?

The Board will hold hearings electronically, either by phone or video, unless a party satisfies the Board that holding an electronic hearing is likely to cause the party significant prejudice. Rules 86 through 91 (new) and current Rules 90 through 95 set out the process for objecting to a hearing being held electronically.

 What if I cannot attend on my hearing date?

As before, if you cannot attend on the hearing date set by the Board, you may request an adjournment. Please refer to Rules 82 through 85 for information about the adjournment process.

Will the Special Property Program continue to apply?

Yes. The Special Property Program is still available for properties that meet the requirements set out in the Guideline. The deadline for an application will change to week 32 of the Schedule of Events.

What is the ‘hearing events months’? Will we be able to select it?

The Board will begin to assign a month in which the hearing of the appeals is likely to be heard. This is based on the commencement day assigned to the appeals and will help the parties schedule their affairs.