



Rules for Representatives Involved in Board Applications

Introduction

For many years, lawyers in Ontario have had to be members of the Law Society of Upper Canada (the Law Society) to be allowed to represent parties and act on their behalf before Ontario's Courts.

As of May 1, 2008, the Law Society put rules in place for other types of representatives. These rules affect representatives, other than lawyers, who represent parties in applications made to Ontario's Courts, Tribunals and Boards – including the Landlord and Tenant Board (the Board).

The rules mean that most people acting as **paid** representatives before the Board will have to be licensed. However, the rules also allow some unlicensed people to be representatives before the Board.

People who don't need a License

Parties can represent themselves

The Law Society's rules apply to *representatives*; they do **not** apply to the *parties* to a Board application. (Parties are usually landlords or tenants.) Parties can choose to represent themselves – they do **not** have to ask someone to be their representative for a Board application unless they want to. Parties who choose to represent themselves on a Board application do **not** need to be licensed.

Friends and family members may be representatives

The Law Society's rules about representatives allow some people to be representatives even though they are **not** licensed. For example, if you are a party to a Board application and you want an unlicensed family member or a friend to act as your **unpaid** representative, this is all right – provided you give them written permission to be your representative.

Other people who don't need a license

In addition to unpaid family and friends, the *Law Society Act* allows other people to act as representatives without having a license. Some of the people who do not need a license to be a representative are:

- articling students,
- employees of legal clinics, and
- people who work for only one employer and only provide legal services for or on behalf of that employer.

On their website, the Law Society has the complete list of the types of people who do **not** need a license to represent someone.

Written permission to be your representative

If the representative you choose is **not** a licensed representative, you must give them written permission to be your representative and act on your behalf. This written permission, also known as an agency authorization, must be signed by you and it must be provided to the Board before, or at your hearing.

If the Board believes that an agency authorization is required and a representative doesn't have one, they may not be allowed to act on your behalf before the Board, and this could delay resolving the application.

People who must be licensed by the Law Society

Paralegals must be licensed

As of May 1, 2008, representatives, unless otherwise exempt, who are hired and **paid** by landlords or tenants to act on their behalf in an application to the Board must be licensed. These representatives, known as paralegals, have written a test and have met other qualifications set out by the Law Society. They are now licensed by the Law Society – similar to the way lawyers are licensed in Ontario.

Status under the *Law Society Act*

The Board may ask about a representative

Board Members and Mediators may ask about a representative's *status* under the *Law Society Act* – that is, whether or not the representative is licensed under the *Law Society Act*.

- If the representative says that they are licensed, they may be asked to provide their licensing number.
- If the representative says that they don't need a license, they may be asked to tell why they think that they don't need a license to represent a party before the Board.

For More Information

About the Law Society's rules

If you think you need to know more about the Law Society's rules such as the licensing requirements for paralegals, or about representatives who do not need a license, you should visit the Law Society's website at www.lsuc.on.ca/paralegals/ or call them toll-free at 1-800-668-7380, or at 416-947-3315 from the GTA calling area.

About the Landlord and Tenant Board

This brochure provides general information only. For more information or to obtain copies of the Board's forms and publications, you can:

- call the Board at **416-645-8080** or toll-free at **1-888-332-3234**, or
 - visit your local Landlord and Tenant Board office. For a list of [Board office locations](#) visit the Board's website, or call the numbers listed above.
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