

# Environment and Land Tribunals Ontario

## Complaint and Redress Mechanism

### INTRODUCTION

ELTO is committed to providing a high quality of service to the public in keeping with its core values of accessibility, diversity, fairness, transparency, timeliness and providing the opportunity to be heard. The Policy on Public Complaints sets out how complaints about ELTO's services and/or the conduct of an adjudicator or staff person are to be made, reviewed and resolved.

### IMPORTANT INFORMATION ABOUT MAKING A COMPLAINT

Some important things you must know before making a complaint:

- a dispute about a Tribunal's decision or order cannot be resolved using the complaint policy;
- complaints cannot be made anonymously. You must provide your contact information including your name, address, telephone number and email;
- complaints must be in writing, email or TTY, unless made at a hearing to the presiding adjudicator. If you require accommodation in order to file your written complaint, contact the Complaints Coordinator;
- ELTO contact information is provided at the end of this policy;
- everyone involved in the complaint process, including any person who is the subject of a complaint, will be treated fairly and respectfully;
- this process is separate from your rights to appeal a decision or order, to have reconsideration or review of a decision or order, or to have judicial review by the courts; and
- this policy does not affect your right to complain to the Ombudsman of Ontario.

ELTO will not deal with a complaint where:

- the complaint is about a Tribunal order or decision;
- the complaint is in fact a request for review or reconsideration of an order or decision;
- you have not adequately identified yourself;
- you have failed to respond to requests for additional information and ELTO does not have sufficient information to proceed further;
- you have made the same or a similar complaint before and it has been addressed by ELTO; or
- the complaint is frivolous or made in bad faith.

## **HOW TO MAKE YOUR COMPLAINT**

### Complaints about Staff or Services

If your complaint is about Staff, raise your concern directly with that person. Together you may be able to resolve the problem without the need for a formal complaint.

If you are unable to resolve your complaint directly, or if your complaint relates to an ELTO service, please send your written complaint to the attention of the Complaints Coordinator. Explain the reasons for your complaint (who, what, when, where) and how you think the complaint may be resolved. Provide the file number if known.

Where the complaint is about staff, the person will be informed of the complaint and given an opportunity to respond.

The Complaints Coordinator will acknowledge your complaint within five business days of receipt. ELTO will respond within 15 business days or tell you when a response will be coming. You may be asked to provide further information.

### Complaints about Adjudicators

If your complaint is about an adjudicator it may be made at any point in the hearing or mediation process. Raise your complaint directly with the adjudicator and in the presence of the other parties. Explain how you would like the complaint resolved and whether you feel the problem is so serious the adjudicator should not continue with your case. The other parties may be asked for their views. Depending on the circumstances, the adjudicator may respond orally or by way of written decision.

If you do not wish to make your complaint directly to the adjudicator or are dissatisfied with the adjudicator's response or if the hearing event is over, send your written complaint to the attention of the Complaints Coordinator. The Executive Chair, or delegate, will acknowledge your complaint within five business days of receipt. Provide the file number, the name of the adjudicator(s), explain the reasons for your complaint (who, what, when, where) and how you think the complaint may be resolved. At the appropriate time, the adjudicator will be informed of the complaint and given an opportunity to respond.

Depending on the nature and timing of your complaint, you may be advised as follows:

- that the adjudicator has been informed of your complaint and an investigation has commenced;
- that the investigation is postponed until the final decision is issued or the adjudicator's involvement in the case has ended in order to protect the fairness and impartiality of an ongoing proceeding; or
- to make your complaint directly to the adjudicator, because if you do not raise the issue in the hearing you may prejudice your rights and interests.

The Executive Chair will not deal with a complaint about a Tribunal order or decision. The Executive Chair will respond within 15 business days or tell you when a response will be coming. You may be requested to provide further information.

## **CONTACT INFORMATION**

Attention: Complaints Coordinator  
Environment and Land Tribunals Ontario  
655 Bay Street, Suite 1500  
Toronto, ON M5G 1E5

Tel: 416-212-6349  
Toll Free: 1-866-448-2248  
TTY: 1-800-855-1155 via Bell TTY relay service  
Fax: 416-314-3717  
Toll Free: 1-877-849-2066  
Email: [Feedback.ELTO@ontario.ca](mailto:Feedback.ELTO@ontario.ca)  
Web: [www.elto.gov.on.ca](http://www.elto.gov.on.ca)

This policy is available online at [www.elto.gov.on.ca](http://www.elto.gov.on.ca) and upon request in various accessible formats.

ELTO is authorized under the *Freedom of Information and Protection of Privacy Act*, sections 38(2) and 41(1)(b), to collect and use the information provided in your complaint about ELTO's programs and services. We do this to make sure we are providing the best customer service possible. Some of the information that you provide may be your personal information. We will use this information only to review, investigate and respond to your complaint. We care about protecting your privacy. If you have any questions about the complaint process, please use the contact information above.