



Here's what you need to know about postponing a hearing (adjournments)

If you need to change the date of your hearing for a good reason, you may ask the CRB to postpone (adjourn) your hearing. The CRB may accept or reject your request. If you are a party to, or participating in, a CRB proceeding, you should be prepared for your hearing at any time, even on short notice. If your request to postpone the hearing is denied, the hearing will go ahead as scheduled and you will be expected to attend.

How do I request to postpone a hearing when it is 14 or more days before a hearing date?

Step 1. Ask the other parties if they agree to postpone.

Step 2. Draft a letter that includes:

- The reasons you want to postpone;
- Suggested new date(s);
- A statement that you notified every party;
- A statement that every party agreed to the adjournment and to the proposed new date, if that is the case.

Step 3. Send a copy of the letter to the CRB and every party.

How do I request to postpone a hearing when it is less than 14 days before a hearing date?

If your request is made less than 14 days before a hearing, you must still send your request as described in the steps above. The CRB may ask you to make your request at the beginning of the hearing where every party may make submissions on your request.

What if a party does not agree?

If a party does not agree to the adjournment or to the proposed new date, he or she must send written submissions to the CRB outlining his or her reasons. That party shall also provide every party with a copy of its submissions.

How does the CRB decide to postpone a hearing?

In deciding whether to postpone a hearing, the CRB will balance whether more time is needed to have a fair hearing against the costs of postponing. The CRB has final discretion as to whether or not to grant a postponement in any circumstances. Typically, where requests are made less than 14 days before a hearing, the CRB would only grant an adjournment for unavoidable emergencies.

What happens after I send in my request to adjourn?

The CRB may decide to:

1. Grant the request and fix a new date;
2. Grant a shorter adjournment than requested;
3. Deny the request, even if every party agreed;

4. Direct that the hearing proceed as scheduled but with a different witness, or evidence on another issue; or
5. Give any other direction that it considers appropriate.

What about in an emergency?

In an emergency, the CRB may postpone a hearing even if parties do not agree. It may grant last minute postponements for emergencies such as sudden illness to a Board Member, representative or witness so close to the hearing that a replacement cannot be found.

Where can I get more information?

For further information please refer to the **CRB's Rules of Practice and Procedure**, or call the CRB office at (416) 212-6349 or toll free 1-866-448-2248.

Please Note

This information sheet is not intended as a substitute for legal or other advice, and in providing this information, the Conservation Review Board assumes no responsibility for any errors or omissions, and shall not be liable for any reliance placed on this information sheet. Additional information, including the CRB Rules of Practice and Procedure, is available at **www.elto.gov.on.ca**.



The **Environment and Land Tribunals Ontario (ELTO)** includes the Assessment Review Board, Board of Negotiation, Conservation Review Board, Environmental Review Tribunal, Ontario Municipal Board, Niagara Escarpment Hearing Office and the Office of Consolidated Hearings. The Tribunals operate under specific legislative requirements and share resources and best practices. The Conservation Review Board processes appeals under the Ontario Heritage Act concerning cultural heritage properties, archaeological resources, and archaeological licensing. For more information contact us at:

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