



Motions

What is a motion?

A motion is a type of hearing event that allows you to ask the Assessment Review Board (ARB) to make an order on a matter before the main hearing. Motions will generally be heard in writing. You will be asked to give your reasons for requesting the order. Examples of common motions include:

- requests for an adjournment;
- requests that the ARB order a party or parties to provide documents or other evidence;
- requests that the ARB provide direction on a procedure that applies to the case; or
- requests to add a person or a party to an appeal.

What is the process for requesting a motion?

Step 1: Complete the Expedited Board Directions form and e-mail it to the ARB at arb.registrar@ontario.ca requesting that a motion be scheduled, along with a summary of what you will be asking the ARB to do.

Step 2: Wait for the ARB to respond to your request. The ARB will inform you if your request is granted or if a motion is required. If a motion is required, the ARB will hear the motion in writing, unless you are specifically informed otherwise.

Step 3: Once the ARB notifies you of the motion, you must send to the other parties involved:

- your Notice of Motion, which sets out what you are requesting and why you are requesting it;
- an affidavit, which is a brief and clear sworn statement, setting out the facts that support your request;
- a statement of what you want the ARB to order; and
- copies of any documents that will be used at the motion.

Can a party respond to a Notice of Motion?

Yes, a party can respond to a Notice of Motion. The responding party must deliver a Notice of Response to the ARB if they intend to:

- Oppose the motion; or
- Provide an affidavit as evidence in support of the responding party's position.

The parties are required to confer among themselves to set the schedule for the exchange of their documents and affidavits to be filed on the motion. The parties should let the ARB know the schedule as soon as possible. If there is no agreement on a schedule, the ARB will set the schedule.

What if there is an emergency?

The Board will make its best efforts to schedule a motion as soon as possible after the request in emergency circumstances.

Where can I find more information?

For more information please refer to the ARB's *Rules of Practice and Procedure* which can be found on [our website](#) or by calling us at (416) 212-6349 or toll free 1-866-448-2248.

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible at (416) 212-6349 or 1-866-448-2248.

Please Note

The information contained in this sheet is not intended as a substitute for legal or other advice, and in providing this information, the ARB assumes no responsibility for any errors or omissions and shall not be liable for any reliance placed on the information in this sheet. Additional information, including the ARB's *Rules of Practice and Procedure*, is available at www.elto.gov.on.ca, or by calling (416) 212-6349 or toll free 1-866-448-2248.



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 Assessment Review Board hears appeals from persons who believe there is an error in the assessed value or classification of a property and also deals with some types of property tax appeals under the Municipal Act and City of Toronto Act. For more information contact us at:

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