



LICENCE APPEAL TRIBUNAL

ANNUAL REPORT

2007-2008

**Office of
the Chair**

**Bureau du
président**

**Licence
Appeal
Tribunal**

12th Floor
1 St. Clair Ave West
Toronto ON M4V 1K6

Telephone: (416) 314-4260
1 800 255-2214

Fax: (416) 314-4270
(416) 314-6307
1-800-720-5292

**Tribunal
d'appel en
matière de permis**

12^e étage
1, ave St. Clair ouest
Toronto (Ontario) M4V 1K6

Téléphone : (416) 314-4260
1 800 255-2214

Télécopieur : (416) 314-4270
(416) 314-6307
1 800 720-5292



June 30, 2008

The Honourable Ted McMeekin
Minister
Ministry of Government and Consumer Services
Suite 4320 Whitney Block
99 Wellesley Street West
Toronto, ON M7A 1W3

Dear Minister:

RE: Licence Appeal Tribunal Annual Report

I am pleased to present to you the Licence Appeal Tribunal's Annual Report for the fiscal year 2007-2008.

Yours truly,

Lynda C.E. Tanaka, B.A., LL.B., FCI Arb., C.Arb., ICD.D
Chair

TABLE OF CONTENTS

| | Page Number |
|---|-------------|
| Message from the Chair | 1 |
| Message from the CAO & Registrar | 3 |
| Mandate, Jurisdiction and Organization of the Licence Appeal Tribunal | 5 |
| Chair, Vice-Chairs and Members of the Licence Appeal Tribunal | 8 |
| Goals and Performance | 9 |
| Accomplishments | 11 |
| Statistical Summary | 14 |
| Financial Information | 19 |

MESSAGE FROM THE CHAIR

I have the privilege of reporting on the changes and progress that have been achieved this year. I was appointed as Acting Chair of the Licence Appeal Tribunal (LAT) in January 2007 and as Chair in January 2008.

At the outset, I note the untimely passing of our previous Chair Carl Dombek . Mr. Dombek served as Chair from May 1, 2002. On behalf of all LAT Members and staff, I acknowledge, with thanks, his lengthy service to the people of Ontario, his considerable knowledge and expertise, and his leadership over the past years.

I also wish to express my thanks to the Members of the Licence Appeal Tribunal who have given so generously of their time in the public service and who have supported my efforts over the past year. The Members embraced the changes to LAT procedures and engaged enthusiastically in improving their skills and knowledge. The LAT is fortunate to have so many highly qualified and professional members. I extend special thanks to those Members who left the LAT this year: Greg Crompton, Daniel Laurin, André Pinard, Irvin Sherman, and Philomen Wright. Their expertise and knowledge are missed.

This year has been one of significant change, as outlined in the Accomplishments section of this report. It is clear that the public has increasingly high expectations as to the quality of service that should be provided by a tribunal. These expectations relate to such things as the experience of the parties in the hearing room, the quality of adjudication, and the timely release of written decisions.

I am very pleased to say that we were successful in the last half of this year in reducing to four months or less, the average turnaround time between receipt of the appeal to release of the written decision. We accomplished this despite reductions in the number of our Members. However, we cannot be complacent. LAT jurisdiction continues to expand, as does the number of complex matters that require a longer hearing time.

In addition, the Supreme Court of Canada has held that a high standard of justice is required when the right to continue in one's profession or employment is at stake. LAT staff and Members are mindful of the expectations for this high standard of justice in all elements of the process.

As well, the government of Ontario enacted legislation and provisions that set clear expectations to which tribunals must adhere, in terms of codes of conduct, conflict of interest and good governance. I am proud that the LAT has responded to these challenges in a timely way.

Since its inception eight years ago, the Licence Appeal Tribunal has proven its ability to provide enormous benefits for the people and government of Ontario. The Legislature has entrusted to us a broad jurisdiction, evoking a clear commitment to consumer protection and economic development within a consistent statutory framework.

LAT Members and staff recognize the importance of fulfilling this mandate. In the coming year, the LAT will continue to conduct its business and affairs in accordance with the principles of ethical behaviour, high quality service and wise use of public funds.

In conclusion, I proudly take this opportunity to express my respect and deep appreciation for the work of the Registrar and Chief Administrative Officer, **Francine Blais**, who has given notice of her intention to leave the LAT in the coming year. Under the significant pressures and time constraints implicit in the Registrar's position, she has – to paraphrase Kipling – *“not only kept her head but helped those around her who were in danger of losing theirs....”*

Her knowledge and experience are valued by the staff, in this, and other ministries. Her leadership and her conduct in her dealings with counsel, parties and the public have been characterized by courtesy and respect for all. She will be missed.

Lynda C.E. Tanaka, B.A., LL.B., FCIArb., C.Arb., ICD.D
Chair

MESSAGE FROM THE CHIEF ADMINISTRATIVE OFFICER AND REGISTRAR

In 2007-08, I greatly enjoyed working with the new Chair on a wide range of projects aimed at enhancing or streamlining our processes. I have learned a lot from her, thanks to her excellent knowledge of the administrative justice system and her demonstrated change management skills. In turn, I trust that my sound knowledge of the LAT and its processes have enabled her to meet the goals that she had set in this fiscal year.

It has been a year of positive changes for the LAT, from the amendments to the *Rules of Practice*, to the implementation of Phase I of our case management system. But this is just a beginning! A lot more changes are in the works. Having been here for 14 years, I am thrilled to see these most needed changes happening. I am positive that these will go a long way to raise LAT's profile.

Not too many members of the public are aware of the outstanding job we do. Is there any other tribunal in the province that hears appeals under so many different statutes, and in such a timely manner? The LAT is unique. That is why it is imperative for me and all LAT employees to support the Chair in our day-to-day operations and in achieving her goals to further expand LAT's mandate. In this way, we can maintain an appeal process, from start to end, that is fair and transparent.

Fiscal 2007-08 represents my last full year with the LAT, as I will be leaving, with mixed feelings, at the end of June 2008. These 14 years truly have been challenging and rewarding. In our day-to-day work, I have been blessed with the support of dynamic and hard-working employees and Members.

In particular, I would like to thank all the Chairs under whom I have served for their trust and support. They all have provided their particular expertise and insights in bringing the LAT to where it is today, and to where it is destined to go in the future.

THANK YOU ALL!

Francine Blais
Chief Administrative Officer and Registrar

THE LICENCE APPEAL TRIBUNAL:

Fair... Impartial... and Efficient

Mandate

The LAT mandate is to provide a fair, impartial and efficient means to appeal decisions concerning compensation claims and licensing activities regulated by several ministries of the provincial government.

These include the Ministry of Children and Youth Services, the Ministry of Community Safety and Correctional Services, the Ministry of Government and Consumer Services, the Ministry of Municipal Affairs and Housing, the Ministry of Training, Colleges and Universities, and the Ministry of Transportation. As an independent, quasi-judicial administrative tribunal, the LAT receives appeals, conducts hearings, resolves disputes and renders decisions on compensation claims and licensing activities regulated by these ministries.

History

The *Licence Appeal Tribunal Act, 1999* created the LAT beginning April 1, 2000 to assume the mandate of four predecessors: the Commercial Registration Appeal Tribunal, the Licence Suspension Appeal Board, the Private Vocational Schools Review Board and the Child and Family Services Review Board licensing jurisdiction.

Since the merger, the concept of one tribunal under one Chair has proven to be a successful adjudicative model. With a small staff supervised by a Chief Administrative Officer and Registrar, the LAT has continually met the expectations of the public, as to the quality of the service and the decisions issued and the value for the public funds invested.

Jurisdiction

The LAT is subject to the rules of natural justice and the requirements of the *Statutory Powers and Procedures Act*. In an effort to protect the public, the specialists appointed to the tribunal work to conduct fair, efficient and impartial hearings during which they consider all evidence presented and make a decision with written reasons based on that evidence. Most LAT decisions are subject to appeal to the Superior Court of Justice (Divisional Court). All LAT decisions are subject to judicial review under the *Judicial Review Procedure Act*.

Appeals to the LAT can be made under 21 different statutes. The acronym of each statute and/or type of appeal is provided to assist you in understanding the statistical charts on Page 16.

| Statute | Acronym |
|--|---|
| <i>Bailiffs Act</i> | BA |
| <i>Building Code Act, 2002, O.Reg. 350/06 (Division C, Sections 3.2, 3.3 and 3.4 only)</i> | BCA |
| <i>Cemeteries Act (Revised)</i> | CA |
| <i>Child and Family Services Act</i> | CFSA |
| <i>Collection Agencies Act</i> | CAA |
| <i>Consumer Protection Act, 2002</i> | CPA |
| <i>Consumer Reporting Act</i> | CRA |
| <i>Day Nurseries Act</i> | DNA |
| <i>Discriminatory Business Practices Act</i> | DBPA |
| <i>Film Classification Act, 2005</i> | FCA |
| <i>Funeral Directors and Establishments Act</i> | FDEA |
| <i>Highway Traffic Act</i> | HTA |
| <ul style="list-style-type: none"> • Section 32(12)(b)(i) – Medical • Section 47(1) – Medical and Commercial Vehicle Operator’s Registration-Carrier • Section 17(2),(3) – Commercial Vehicle Operator’s Registration • Section 48.3(2) – Administrative Driver’s Licence Suspension • Section 55.1(3) – Motor Vehicle Impoundment • Section 82.1 – Commercial Vehicle Impoundment and Suspension • Section 95(1) – Motor Vehicle Inspection Licence – Garage | MED MCVOR CVOR ADLS MVIA CVIS GAR |
| <i>Intercountry Adoption Act</i> | IAA |
| <i>Motor Vehicle Dealers Act</i> | MVDA |
| <i>Ontario New Home Warranties Plan Act</i> | ONHWPA |
| <i>Paperback and Periodical Distributors Act</i> | PPDA |
| <i>Post-Secondary Education Choice and Excellence Act, 2000</i> | PSECEA |
| <i>Private Career Colleges Act, 2005</i> | PCCA |
| <i>Private Securities and Investigative Services Act, 2005</i> | PSISA |
| <i>Real Estate and Business Brokers Act, 2002</i> | REBBA |
| <i>Travel Industry Act, 2002</i> | TIA |

Organization

The Lieutenant Governor in Council appoints all LAT Members and designates one as Chair and some as Vice-Chairs. The Chair is full-time, while the Vice-Chairs and Members are part-time. The Chair provides guidance and leadership to the Vice-Chairs and Members. The Chair is accountable to the Minister of Government and Consumer Services for the performance of the LAT in fulfilling its mandate. This includes carrying out the roles and responsibilities assigned to the Chair by Management Board directives, the *Licence Appeal Tribunal Act, 1999*, and a Memorandum of Understanding between the Minister and the Chair.

Staff

LAT staff is appointed under the *Public Service of Ontario Act, 2006*. The Chief Administrative Officer (CAO) and Registrar manages the LAT and is responsible for day-to-day operations and also provides support to the Chair.

The staff is composed of the Deputy Registrar, six hearings co-ordinators, one administrative assistant, and a receptionist. They are responsible for various aspects of receiving appeals, scheduling hearings, preparing case-related materials, arranging hearing rooms, maintaining records and overseeing the release of decisions.

Profile of Members

LAT Members reside in various parts of the province, are active in community organizations and come from different cultural communities. They all are fair, accomplished adjudicators who bring a wealth of experience to the tribunal. In order to serve the public interest in an open and independent manner, it is important to note that the Vice-Chairs and Members are **not** employees of the provincial government or any of its ministries.

When members of the public come to the LAT for the resolution of a licensing issue, they can be assured that tribunal members have the depth of experience to render sound decisions. For example, all the Vice-Chairs are lawyers and many of them, as well as Members, have experience as adjudicators for other federal or provincial tribunals or as Deputy Judges.

Some of the Members are qualified medical practitioners as required by the legislation to preside on hearings dealing with *Highway Traffic Act* licence issues that relate to medical conditions. As well, other Members have specific training and experience in alternative dispute resolution. These particular skills are used to good effect, as they often can result in the early resolution of appeals (or of issues within appeals) so that hearings are shorter or not required at all.

CHAIRS, VICE-CHAIRS AND MEMBERS OF THE LICENCE APPEAL TRIBUNAL – 2007-08

Chairs

Carl F. Dombek, B.A., LL.B. - May 1, 2002 - October 5, 2007

Lynda C.E. Tanaka, B.A., LL.B., FCI Arb., C. Arb. ICD.D

Vice- Chair October 6, 2006 to January 23, 2008

Acting Chair, January 24, 2007 to January 23, 2008

Chair, January 24, 2008 to January 23, 2010

| <i>Vice-Chairs</i> | <i>Term</i> |
|--|--------------------------------|
| Elizabeth Bennett-Martin | Mar 13-03 – Apr 10-09 |
| Patricia Cassidy | Oct 5-06 – Oct 4-08 |
| Shu-Tai Cheng | Nov 15-06 – Nov 14-08 |
| Marc D'Amours | Nov 15-06 – Nov 14-08 |
| Andrew Diamond | Jun 1-05 – Dec 14-08 |
| D. Gregory Flude | Jun 22-05 – Jun 21-08 |
| E. Alan Garbe | Apr 1-00 – Mar 31-09 |
| Harinder Singh Gahir | Nov 15-06 – Nov 14-08 |
| Derek Israel | Apr 1-00 – May 4-08 |
| Kenneth W. Koprowski | Apr 1-00 – Apr 25-09 |
| Daniel Laurin | Jan 13-05 – Jan 12-08 |
| Richard Macklin | Oct 5-06 – Oct 4-08 |
| Raj Pannu | Mar 9-06 – Mar 8-09 |
| Chantal Proulx | Nov 15-06 – Nov 14-08 |
| Laurie M. Sanford | Jun 22-05 – Jun 21-08 |
| Elizabeth L. Sproule | Apr 1-00 – Apr 25-09 |
| Irvin H. Sherman, Q.C. | Apr 9-03 – Jun 2-07 resigned |
| Lynda C.E. Tanaka | Oct 5-06 – Jan 23-08 |
| Douglas R. Wallace | Jan 13-05 – Jan 12-13 |
| Shane Watson | Oct 5-06 – Oct 4-08 |
| Jane Weary | Jun 23-04 – Jun 22-09 |
| <i>Members</i> | <i>Term</i> |
| Hakam T. Abu-Zahra, M.D. | Aug 21-03 – Aug 20-09 |
| Antoine Albert Aouad, M.D. | Apr 1-00 – Mar 31-09 |
| Donald M. Benninger | Jun 12-02 – Jun 12-09 |
| Kerr W. Clark, M.D. | Aug 21-03 – Aug 20-09 |
| Patrick Graham Coffey, M.D., F.R.C.S.(C).D. (Obs.) R.C.O.G. | Feb 3-03 – Feb 2-09 |
| Greg Crompton | Jun 23-04 – Aug 10-07 resigned |
| Simon Dann | Apr 1-00 – Jun 16-09 |
| Kevin Flynn, M.D. | May 28-03 – May 27-09 |
| David W. Hurst, M.D. | Aug 1-03 – Jul 31-09 |
| Jim Kennelly | Jun 17-04 – Jun 16-12 |
| Roy Melvin, M.D. | Apr 19-00 – Mar 25-09 |
| Nives Montano | Apr 1-00 – Mar 25-09 |
| Keith Penner | Sep 17-04 – Sep 16-09 |
| André Pinard | Feb 16-05 – Feb 15-08 |
| Esrick Quintyn | May 18-05 – May 17-08 |
| Mary Ann Spencer | May 30-06 – May 29-09 |
| David Ian Turnbull, M.D. | Aug 21-03 – Aug 20-09 |
| Philomen Wright | Oct 11-06 – May 29-07 resigned |

GOALS AND PERFORMANCE

The critical success goals of the Licence Appeal Tribunal are **timeliness, optimum cost efficiency, quality and consistency**. Key business activities that affect these goals are monitored, the results measured and improvements are made as required. Performance is tracked monthly and statistical charts and graphs are distributed to the minister and deputy minister of those ministries that administer the statutes that come under LAT jurisdiction.

There are four phases of LAT operations:

- Processing of appeals
- Scheduling of hearings
- Holding of hearings
- Rendering of decisions.

Each phase has specific time lines and these vary according to the type of appeal.

1. Processing of Appeals

This is the intake portion of the appeals process. Applicants are assured of a timely response – the LAT hearings coordinators have from one to three weeks to:

- Review the notices of appeal and verify that the required fee and supporting documents have been filed with the tribunal within the prescribed period;
- Send copies of the appeal to the related program area or ministry;
- Consult the parties with respect to the number of hearing days and any witnesses required as indicated on the Notice of Appeal;
- Forward the completed appeal file to the hearings scheduler.

2. Scheduling of Hearings

The hearings scheduler sets the hearing and pre-hearing dates within five days of receiving the file from the hearings coordinators. There are specific legal or administrative time lines to guide the timing of hearings as follows:

- | | |
|---|------------|
| • Administrative Driver's License Suspension | 15-20 days |
| • Orders under the <i>Child and Family Services Act</i> | 60 days |
| • Commercial Vehicle Operator's Registration | 60-90 days |
| • Commercial Vehicle Inspection Suspension | 30 days |
| • Order under the <i>Day Nurseries Act</i> | 60 days |
| • Order under the <i>Intercountry Adoption Act</i> | 60 days |
| • Medical suspension | 30 days |
| • Motor Vehicle Impoundment Orders | 18-20 days |
| • Motor Vehicle Inspection Licence (Garage) | 30-60 days |

- Proposals / Decisions under various statutes administered by the Ministry of Government Services, self-managed industries, and Tarion Warranty Corporation Within 120 days

3. Holding of the Hearing

The length of the hearing depends on how much time the parties require to present evidence and make their arguments. Hearings can range from half a day to 15 days or more. In the case of appeals that have complex legal issues or many documents or witnesses, the hearing days may be spread out in order to accommodate the schedules of the parties and their counsel or agents and the part-time Members and Vice-Chairs.

The Chair has established specific time frames for the completion of hearings under a number of statutes, as authorized under section 16.2 of the *Statutory Powers Procedure Act*. These time frames have been set to ensure there are no delays in the process and also as a performance measure to ensure that the appeal process average turnaround time does not exceed six months.

There are **rare** cases where there is a time of more than six months between the perfecting of the appeal and the issuance of the decision. These occur for a variety of reasons:

- Unrepresented parties require time to familiarize themselves with procedures and process;
- There are voluminous documents disclosed;
- There are more than two parties involved;
- The outcome has significant economic repercussions for an existing business;
- There are significant legal issues in the appeal; or
- Time commitments previously made by the panel, counsel or the parties interfere with scheduling.

These cases are carefully monitored to receive priority to ensure that the decision is issued as promptly as possible. As well, efforts are made to identify process issues that may be improved by changes to *LAT Rules of Practice* or practice directions or in the education of the users through brochures or website changes.

LAT Rules of Practice permit written, oral or electronic hearings or pre-hearings. Frequently pre-hearings are held with one or more of the parties attending by teleconference. The LAT permits testimony by this method to accommodate a witness who cannot physically attend at the hearing to mitigate inconvenience where it is appropriate. These measures address some of the costs issues facing the parties.

The LAT also encourages the parties to use agreed statements of fact to narrow the issues in a hearing and will receive written submissions on which to base decisions where appropriate.

4. Rendering of Decisions

The LAT goal is to release its decisions to the parties to a proceeding within a maximum of 30 days after the hearing. The Vice-Chairs and Members submit their draft decisions for review usually within 23 days following the completion of a hearing. For some of the tribunal programs there are shorter deadlines for submission of decisions:

- Administrative Driver's Licence Suspension 1 day
- Commercial Vehicle Impoundment and Suspension 14-28 days
- Medical Suspension 7 days
- Motor Vehicle Impoundments 1-3 days
- Motor Vehicle Inspection Licence (Garage) 14-28 days

ACCOMPLISHMENTS 2007-08

Governance, Conflict of Interest and Code of Conduct

The *Public Service of Ontario Act, 2006* came into force in August 2007. This act applies to all LAT Members and employees. It imposes on the Members appointed by the Lieutenant Governor in Council obligations with respect to conflict of interest and political activity. These obligations are comparable to the obligations imposed on the public sector employees. In addition, the *Office of the Conflict of Interest Commissioner* has been created with a specific mandate to provide direction to appointees.

A regulation under that act creates rules of conflict of interest. However, the act allows that those who are governed by it, for a limited period of time, to obtain the Commissioner's approval for specific rules in place of the regulation. *LAT Rules on Conflict of Interest* have been submitted to the Commissioner.

As well, in response to the public's demand for transparency and good governance in the operation of agencies, the Ministry of Government and Consumer Services has provided governance tools with a view to help agencies in achieving those goals. As a result, the LAT has implemented a *Code of Conduct* for Members identifying the standards of ethical and professional conduct expected of appointees.

Modernization of Business Processes

The LAT replaced its outdated case management system with a new one that significantly impacts on the ease of access and range of available information needed to manage the cases. Phase I of the new system was rolled out in October 2007. It provides better information more quickly to the staff and is more efficient in terms of the time required to set up and maintain case files and monthly statistical reports.

Phase II will proceed in the coming year. Among other things, it will provide for the automatic generation of LAT Notices of Pre-Hearing and Hearing and specified template correspondence.

Also, the LAT undertook a review of more modern technology for recording of hearings and decided to upgrade to digital recording. The digital recording equipment will be operational in the Toronto hearing rooms early in 2008-09. The quality and reliability of LAT recordings should be significantly enhanced. Hearings outside Toronto will continue to be served by court reporters recording the evidence where required.

LAT Premises

The physical condition of the hearing rooms was assessed in 2007-08. In addition to the change to digital recording noted above, modifications were made to modernize the facilities with new, more modular furniture and the seating was set up in the traditional “courtroom” style. The new furniture has provided options for arranging the tables and seating to positions other than the traditional, while continuing to provide the appropriate atmosphere for orderly proceedings.

Communicating Good Information to the Parties and the Public

Many of the parties appearing before the LAT are not represented by lawyers or paralegals. The LAT cannot provide legal advice and the parties are well advised to seek such assistance. It is important that parties have good information on how to bring their appeal and what to expect in LAT proceedings so that they can understand the nature of the proceedings and be properly prepared.

The LAT website has been considerably upgraded and improved, and is expected to undergo further change in the coming year.

The LAT has also undertaken a review of the materials it makes available to the public. These include eight brochures specific to the types of appeal brought to the LAT, Frequently Asked Questions information, as well as the Notice of Appeal forms, and the Notices of Pre-hearing and of Hearing. The project will be completed early in 2008-09. All the revised material will be available in print form and on the web.

Amendments to the Rules of Practice

In the spring of 2007, the LAT undertook a broad consultation process with respect to its *Rules of Practice*, which had not been revised since 2003. Three main areas that needed improvement quickly were identified: the Rules on adjournments; pre-hearings; and disclosure. Proposed amendments were circulated broadly for comment, and amendments to certain of the Rules and Practice Directions were put in place effective January 1, 2008. An additional Practice Direction on Pre-hearings was added.

The Rules amendment and Practice Directions represent a significant step forward in enhancing LAT's ability to assist the parties in achieving a resolution without the need for a formal hearing. This new procedure integrates the principles of mediation based on interest-based negotiation with the traditional process of LAT pre-hearings. Based on this experience, the LAT will conduct pre-hearings in all appeals, except where expedited hearings are required under the *Highway Traffic Act*.

We will continue in the coming months to consider other proposed amendments that were suggested in the course of the consultation.

Complaints Policy

A procedure is now in place for members of the public who wish to register a complaint concerning the LAT. The complaints policy, available on the website, is in addition to the right of the public to go to the Ombudsman of Ontario.

Privacy of Information

The *Freedom of Information and Protection of Privacy Act* applies to the LAT. This year, the LAT reviewed its practices and as a result has issued new guidelines. These revised practices, available to the public in print form and on the website, became effective March 1, 2008.

Professional Development

Training sessions for Members were held on four occasions this year to maintain LAT's high level of expertise and knowledge. One session was provided for all Members covering a broad range of topics including the new pre-hearing process, and three others were held for more focused training. In addition, Members took advantage of training provided by the Society of Ontario Adjudicators and Regulators.

Outreach Initiatives

The Chair participated in the planning committee for COBA 2007 (Conference of Ontario Boards and Agencies) in November 2007 and moderated one of the panels. She continues to be involved in this work for COBA 2008, the preparations for which are already underway. She also attended the annual conference of the Council of Canadian Administrative Tribunals, learning about reform in tribunal practices and procedures in other jurisdictions.

In addition, she made a presentation on LAT jurisdiction and processes to the Administrative Law class of Carleton University again this year, and to the Sole, Small Firm and General Practice Section of the Ontario Bar Association.

STATISTICAL SUMMARY

During the last three fiscal years, LAT has maintained the pace established in the two previous fiscal years

| | 2007-08 | 2006-07 | 2005 -06 |
|---|----------------|----------------|-----------------|
| Number of appeals received | 668 | 682 | 650 |
| Number of pre-hearings scheduled | 370 | 248 | 221 |
| Number of pre-hearings held | 279 | 198 | 184 |
| Number of hearings days scheduled | 1,351 | 1,211 | 1,041 |
| Number of hearing days heard | 499 | 541 | 436 |
| Number of decisions/orders released | 547 | 589 | 543 |
| Average length of hearing (in days) | 1.01 | 1.03 | 0.89 |
| Average length of time to release decisions (in days) | 23.5 | 14.5 | 14.2 |

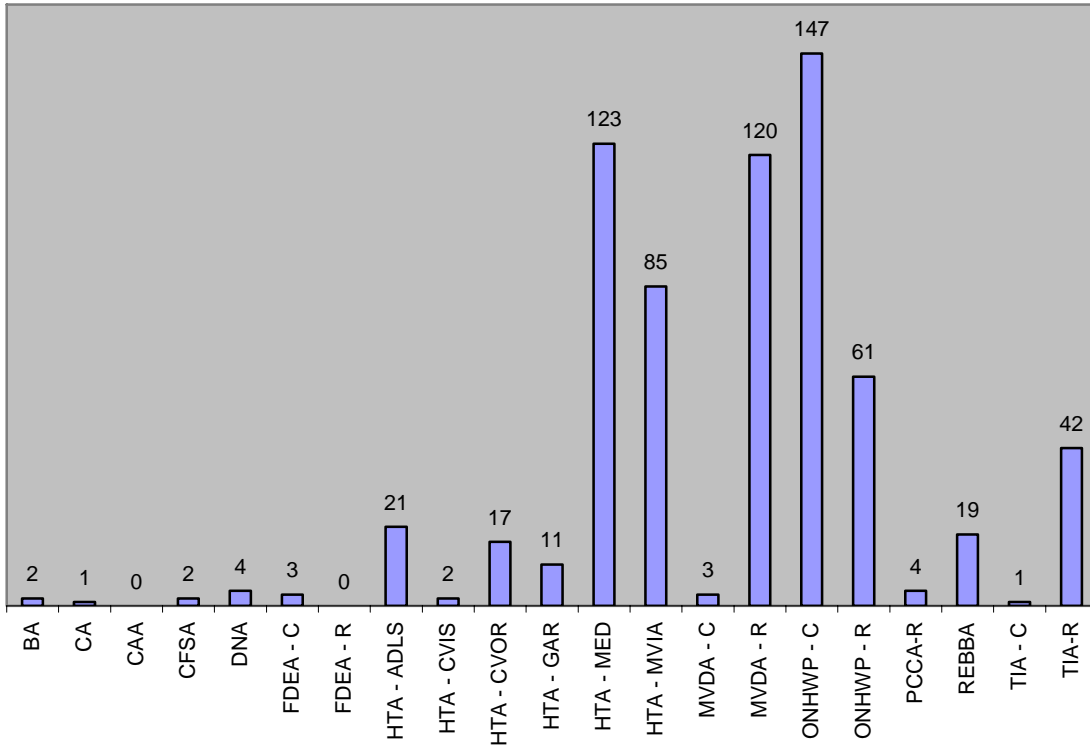
The number of appeals by statute is as follows:

| | 2007-08 | 2006-07 | 2005-06 |
|---|----------------|----------------|----------------|
| <i>Bailiffs Act</i> | 2 | 1 | 1 |
| <i>Cemeteries Act</i> | 1 | 0 | 11 |
| <i>Collection Agencies Act</i> | 0 | 0 | 2 |
| <i>Child and Family Services Act</i> | 2 | 1 | 6 |
| <i>Day Nurseries Act</i> | 4 | 3 | 3 |
| <i>Funeral Directors and Establishment Act</i> | | | |
| . <i>Claim</i> | 3 | 5 | 1 |
| . <i>Registration</i> | 0 | 1 | 2 |
| <i>Highway Traffic Act</i> | | 255 | 235 |
| . <i>ADLS</i> | 21 | 13 | 15 |
| . <i>CVIS</i> | 2 | 0 | 0 |
| . <i>CVOR</i> | 17 | 18 | 19 |
| . <i>GAR</i> | 11 | 12 | 10 |
| . <i>MED</i> | 123 | 108 | 96 |
| . <i>MVIA</i> | 85 | 104 | 95 |
| <i>Motor Vehicle Dealers Act</i> | | | |
| . <i>Claim</i> | 3 | 3 | 1 |
| . <i>Registration</i> | 120 | 112 | 119 |
| <i>Ontario New Home Warranties Plan Act</i> | | | |
| . <i>Claim</i> | 147 | 217 | 173 |
| . <i>Registration</i> | 61 | 33 | 34 |
| <i>Private Career Colleges Act, 2005</i> | 4 | 3 | 3 |
| <i>Real Estate & Business Brokers, 2002</i> | 19 | 13 | 20 |
| <i>Travel Industry Act, 2002</i> | | | |
| - <i>Claim</i> | 1 | 5 | 5 |
| - <i>Registration</i> | 42 | 30 | 33 |

Note: The total number of appeals by year for each statute (where we have received appeals in the last three fiscal years) is shown in the chart form below. The percentage that the appeals for each statute represent of the total number of appeals received is also shown on a following page. Refer back to the above for the full name of the statutes. The average turnaround time as tracked on a monthly basis for all appeals is also shown on a chart on a following page.

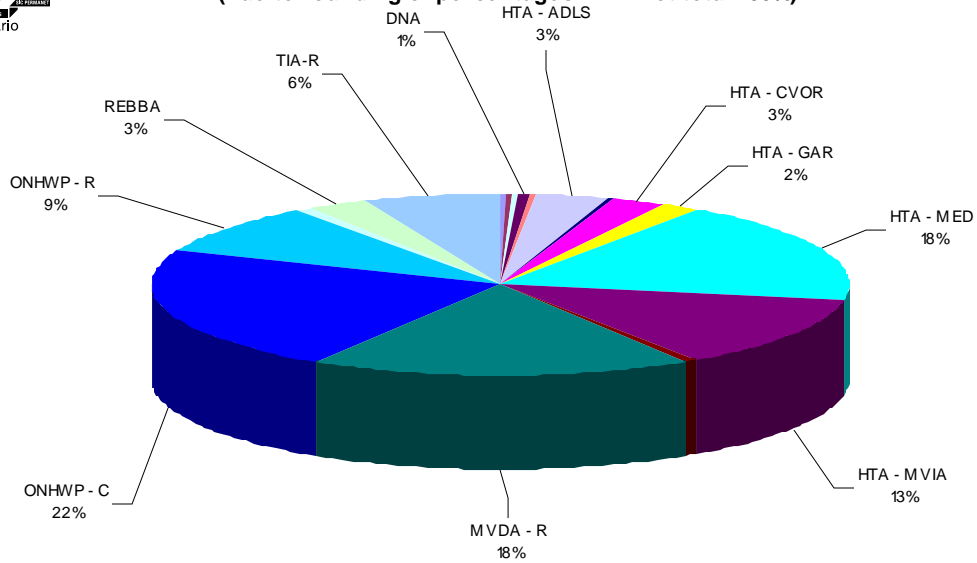


Licence Appeal Tribunal
Total # of Appeals Received - Fiscal Year 2007-2008 = 668
Breakdown by Statutes & Types of Appeals as at March 31, 2008

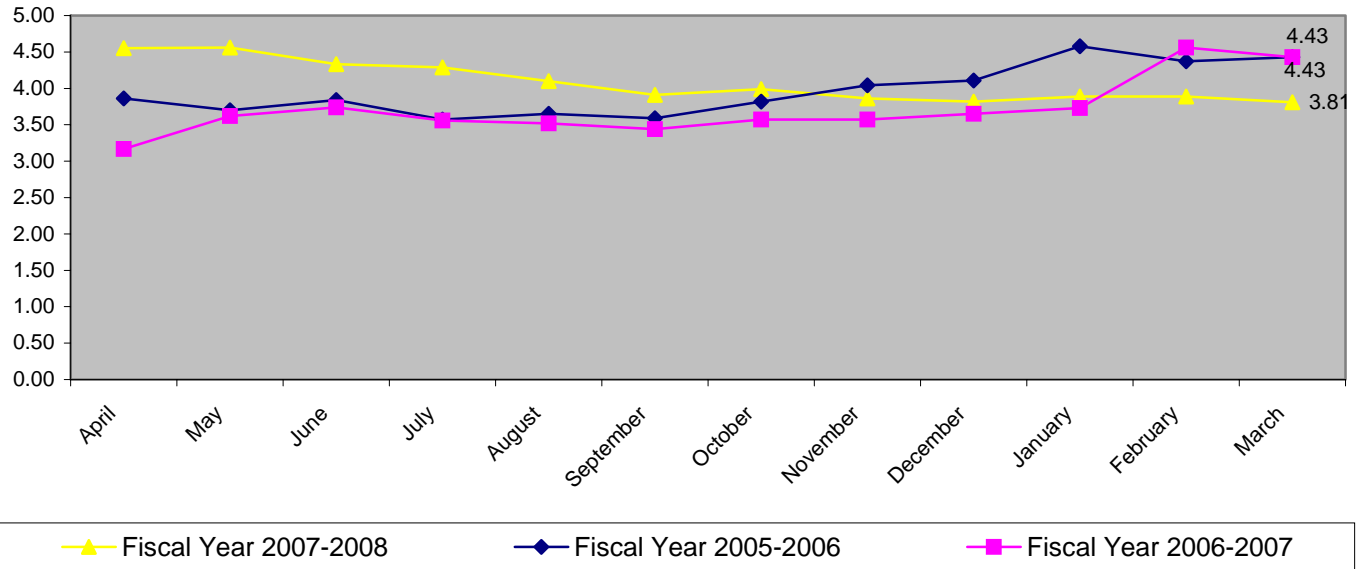




Licence Appeal Tribunal
% of Total Appeals By Statute/Appeal Type -- 2007-2008 -- as of March 31, 2008
(Due to rounding of percentages - will not total 100%)



Licence Appeal Tribunal
Turnaround Time by Month for Fiscal Year 2007-2008 as of March 31
Compared to Fiscal Year 2006-2007
Compared to Fiscal Year 2005-2006



Financial Information 2006-2007

| Standard Account | 2006-2007 Appropriations | Actual Expenditures |
|----------------------------------|-----------------------------|------------------------|
| Salaries and wages | \$ 635,400 | \$ 671,182 |
| Employee benefits | 97,700 | 93,859 |
| Transportation and communication | 94,200 | 91,699 |
| Services * | 746,800 | 768,649 |
| Supplies and equipment | 35,900 | 26,379 |
| Subtotal: | \$ 1,610,000 | \$ 1,651,768 |
| Less: Recoveries *** | (237,300) | (242,859) |
| Add: Board Approvals ** | 108,700 | |
| TOTAL | \$ 1,481,400 | \$ 1,408,909 |

Revenue under Licence Appeal Tribunal Act \$ 66,800

* The 2006/07 Appropriations and Actual Expenditures in Services provided by Ontario Shared Services and Government Services Delivery Cluster, include \$47,200 in transaction services (OSS and EBC IT)

** Additional funding was secured based on expenditures forecast to March 31, 2007.
By prudent management, the additional funding was not entirely spent

*** The Tribunal hears appeals under various Ontario statutes and recovers \$765 per completed hearing per day from the respondent Ministries and self-managed industries under their Delegated Administrative Authorities to offset operating costs for the hearings.

Financial Information 2007-2008

| Standard Account | 2007-2008 Appropriations | Actual Expenditures |
|----------------------------------|-----------------------------|------------------------|
| Salaries and wages | \$ 493,500 | \$ 653,896 |
| Employee benefits | 97,700 | 141,400 |
| Transportation and communication | 94,200 | 86,456 |
| Services | 1,535,200 | 1,201,184 |
| Supplies and equipment | 35,900 | 59,286 |
| Subtotal: | \$ 2,256,500 | \$ 2,142,222 |
| Less: Recoveries ** | (437,300) | (341,955) |
| Add: Board Approvals * | 430,900 | |
| TOTAL | \$ 2,250,100 | \$ 1,800,267 |

Revenue under Licence Appeal Tribunal Act \$ 63,603

* Additional funding was secured based on expenditures forecast to March 31, 2008.
By prudent management, the additional funding was not entirely spent

** The Tribunal hears appeals under various Ontario statutes and recovers \$765 per completed hearing per day from the respondent Ministries and self-managed industries under their Delegated Administrative Authorities to offset operating costs for the hearings.

How to Contact Us:

Licence Appeal Tribunal
1 St. Clair Avenue West
12th floor
Toronto, Ontario
M4V 1K6

Telephone: (416) 314-4260 or 1-800-255-2214

Fax: (416) 314-4270 or 1-800-720-5292

Website: www.lat.gov.on.ca