



## Tip Sheet For Tenants

# HOW DO I STOP THE SHERIFF FROM EVICTING ME BEFORE MY HEARING?

*Prepared by the Tenant Duty Counsel Program and funded by Legal Aid Ontario*

***This publication contains general information intended to assist the public at large. It is not legal advice about your situation. You should consult a lawyer or legal worker for advice on your particular situation.***

**TIP FOR TENANTS:** This Tip Sheet is designed to assist in situations where you have filed a *motion to set aside an ex parte eviction order* or made a *request for a review of an eviction order*.

### WHAT STEPS DO I NEED TO TAKE?

1. Hand in the Motion to Set Aside or the Request for Review (and your request for an extension of time, if any) at the front counter of the Landlord and Tenant Board (“Board”).
2. If you handed in an application for an extension of time, sit and wait (probably about 20 minutes), to see if the Board grants the extension.
3. If the extension of time is granted (or if you did not need an extension of time), the Board will give you a Notice of Hearing with a date and time for a Hearing on it, along with the Motion to Set Aside or Request for Review attached.
4. Right away, take the Notice of Hearing with the Motion to Set Aside or the Request for Review attached, to the Sheriff’s enforcement office (to stop the Sheriff from evicting you before your hearing) at one of the following locations:

<b>TORONTO</b>	<b>YORK (NEWMARKET)</b>	<b>PEEL (BRAMPTON)</b>	<b>DURHAM (WHITBY)</b>
393 University Avenue 19 <sup>th</sup> Floor Toronto, ON M5G 1E6 (just south of Dundas St.)	50 Eagle Street W. 1 <sup>st</sup> Floor Newmarket, ON L3Y 6B1 (1 block west of Yonge St.)	7755 Hurontario St. Suite 100 Brampton, ON L6W 4T6 (corner of Hurontario & County Court Blvd.)	601 Rossland Road E. Whitby, ON L1N 9G7
Tel: 416-327-5600	Tel: 905-853-4809	Tel: 905-456-4701	Tel: 905-430-5800

**TIP FOR TENANTS:** You may telephone the Sheriff at one of these telephone numbers and give your file number. Ask if the landlord has filed the eviction order with the Sheriff, **but be sure to file the papers with the Sheriff whether or not the landlord filed the eviction order with the Sheriff.**

5. Also give a copy of the Notice of Hearing and Motion to Set Aside or Request for Review to the landlord at least 48 hours before the time set for the hearing.
6. Fill out and hand to the Board a Certificate of Service on the landlord (and any other parties). You may obtain a Certificate of Service from the counter staff at the Board or from the Board's web site. Hand it in to the counter staff before the hearing or to the Board adjudicator at the beginning of the hearing.
7. Go to your hearing!

## WHERE CAN I GET MORE INFORMATION?

Contact your local **Community Legal Clinic** for free advice on landlord and tenant matters. To find the telephone number for your clinic call Legal Aid Ontario at (416) 979-1446 or 1-800-668-8258.

You can also call the **Tenant Hotline** at 416- 921-9494 for free information and referrals to your local legal clinic.

You can find information on line at [www.acto.ca](http://www.acto.ca) or [www.cleo.on.ca](http://www.cleo.on.ca).

You can call the Landlord and Tenant Board toll free at 416-645-8080 from within Toronto calling area or 1-888-332-3234 from outside Toronto. Their internet address is [www.ltb.gov.on.ca](http://www.ltb.gov.on.ca)