



A litigation guardian is a person who conducts the application on behalf of a person who does not have legal capacity to do so. Rule A10 of the Tribunals Ontario rules sets out the process for appointment of and responsibilities of litigation guardians. For more information about litigation guardians and the completion of this form, see the Tribunals Ontario [practice direction on litigation guardians](#).

Complete this form if you seek to be litigation guardian for a person who does not have mental capacity to make decisions in the Application for himself or herself. This Form may be filed with the Board by mail, fax or in person.

**Name of Person Represented**

First (or Given) Name	Last (or Family) Name
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**Litigation Guardian's Name and Contact Information**

First (or Given) Name	Last (or Family) Name
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Street Number	Street Name	Suite/Unit/Apt.
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City/Town	Province	Postal Code	Email
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Daytime Phone	Cell Phone	Fax	TTY
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**Litigation Guardian's Declaration**  
**For each declaration below please mark the box confirming the statement**

- 1. I request to act as litigation guardian for \_\_\_\_\_ (name), a person who lacks the mental capacity to participate in this Application before the Landlord and Tenant Board.
- 2. I declare that I am at least 18 years of age and that I understand the nature of this proceeding.
- 3. I declare that my relationship with the person is as follows:  
\_\_\_\_\_
- 4. I declare that:
  - I do not have any existing substitute decision making authority for the person.  
OR
  - I am a court appointed litigation guardian or substitute decision-maker for the person and have the authority to conduct this proceeding. (Please attach a copy of the document(s) authorizing you to act in this capacity, i.e. a continuing power of attorney and related document(s), or appointment under the *Substitute Decisions Act, 1992*, or Court order).  
**(IF THIS APPLIES, YOU NEED NOT COMPLETE SECTIONS 5-8 OF THIS FORM.)**  
OR
  - I am a substitute decision maker for the person with respect to matters other than this Application. Please attach a copy of the document authorizing you to act in this capacity (i.e. a continuing power of attorney, or appointment under the *Substitute Decisions Act, 1992*).
- 5. I declare that no other person has authority to be the litigation guardian for the person in this Board proceeding.



6. I declare that:

no other person has guardianship or substitute decision making powers for the person for any matters.

OR

\_\_\_\_\_ (name) holds power of attorney or guardianship for the person for other matters but this power does not apply to the conduct of this proceeding. I have provided that person or organization with a copy of all the materials related to this Application and a copy of the Social Justice Tribunals Ontario practice direction on litigation guardians.

7. I declare that I believe:

- a. the person for whom I seek to be a litigation guardian does not have the mental capacity to make decisions about this Application on his or her own behalf;
- b. the person cannot understand information relevant to making the decisions to commence an Application (if applicable), delegate the power to pursue or respond to an Application, or withdraw or settle an Application and is not able to appreciate the reasonably foreseeable consequences of making or not making such decisions.

8. I declare that the reasons for my belief that the person is not mentally capable of making decisions about this Application, and the nature and extent of the disability causing the mental incapacity, are as follows (attach additional pages as needed to explain the basis of the person's incapacity and evidence in support):

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9. I declare that I have no interest that would conflict with the interests of the person I am representing.

10. I declare that I will diligently attend to the interests of the person represented and shall take all steps necessary for the protection of those interests including:

- a. to the extent possible, informing and consulting with the person represented about the proceedings;
- b. considering the impact of the proceeding upon the person represented;
- c. deciding whether to retain a representative and providing instructions to the representative; and
- d. assisting in gathering evidence to support the proceeding and putting forward the best possible case to the Board.



**Signature of Litigation Guardian**

By signing my name, I declare that, to the best of my knowledge, the information that is found in this form and declaration is complete and accurate.

Name

Signature

Date (dd/mm/yyyy)

Please check this box if you are filing this form electronically. This represents your signature. You must fill out the date above.

**Collecting Personal Information:**

The Landlord and Tenant Board has the right to collect the information requested on this form to resolve your application under section 185 of the *Residential Tenancies Act, 2006*. After you file the form, all information related to the proceeding may become publicly available in a tribunal decision, order or other document, in accordance with Tribunals Ontario's [Access to Records Policy](#) and the *Tribunal Adjudicative Records Act, 2019*. Parties wanting records or information to remain confidential must seek a confidentiality order from the adjudicator. If you have questions about confidentiality orders or access to records, please contact us by email at [LTB@ontario.ca](mailto:LTB@ontario.ca) or our Contact Center at **416-645-8080** or **1-888-332-3234** (toll free).