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CT-2011-003 (Toronto Real Estate Board)

Proceeding 1 Commissioner of Competition v Toronto Real Estate Board

Section(s):	79 - Abuse of dominant position
Filed on:	2011-05-27
Status:	Decided - 2016-04-27

Applicant(s):	Commissioner of Competition
Respondent(s):	Toronto Real Estate Board
Intervenor(s):	Realtysellers Real Estate Inc. Canadian Real Estate Association

Hearing Date:	2012-09-10 to 2012-09-14 2012-09-18 to 2012-09-19 2012-09-24 to 2012-09-25 2012-09-27 to 2012-09-28 2012-10-02 to 2012-10-03 2012-10-09 to 2012-10-10 2012-10-17 to 2012-10-18 (Initial hearing) 2015-09-21 to 2015-09-24 2015-10-05 to 2015-10-07 2015-11-02 (Redetermination hearing)
Hearing Location:	Toronto
Panel Members:	Crampton C.J. Gascon J. Dr. Wiktor Askanas Simpson J. Scott J. Mr. Lanctôt

Case Documents

Pleading(s)		
#	Title	Date
1	Notice of Application	2011-05-27
10	Amended notice of application	2011-07-07
13	Response	2011-08-19
18	Affidavit of Gary Simonsen	2011-08-31
22	Affidavit of Lawrence Mark Dale	2011-09-01
24	Reply	2011-09-01
31	Affidavit of Donald John Richardson	2011-09-14
33	Response of the Toronto Real Estate Board to the request of the Canadian Real Estate Association for leave to intervene	2011-09-14

43	Response of the Toronto Real Estate Board to the request of Realtysellers Real Estate Inc. for leave to intervene	2011-09-15
46	Reply of the Canadian Real Estate Association to the Commissioner's response to its request for leave to intervene	2011-09-21
47	Supplementary affidavit of Gary Simonsen	2011-09-21
48	Reply brief of authorities of the Canadian Real Estate Association	2011-09-21
124	Affidavit of Nadia Brault	2012-02-27
175	Witness statement of Gary Simonsen	2012-08-03
180	Witness statement of Donald Richardson	2012-07-27
182	Witness statement of William McMullin	2012-06-18
184	Witness statement of Mark Enchin	2012-06-19
186	Witness statement of John Pasalis	2012-06-20
187	Witness statement of Urmi Desai	2012-06-20
188	Witness statement of Scott Nagel	2012-06-20
189	Witness statement of Sam Prochazka	2012-06-22
190	Witness statement of Shayan Hamidi	2012-06-22
191	Witness statement of Tarik Gidamy	2012-06-22
192	Witness statement of Joel Silver	2012-06-22
193	Reply witness statement of Mark Enchin	2012-08-17
197	Witness statement of Timoleon Syrianos	2012-07-27
199	Witness statement of Pamela Prescott	2012-07-27
200	Witness statement of Evan Sage	2012-07-27
201	Witness statement of Tung-Chee Chan	2012-07-27
232	Closing argument of the Canadian Real Estate Association	2012-10-18
235	Closing argument of the Commissioner of Competition	2012-12-03
236	Closing argument of the Toronto Real Estate Board	2012-12-04
288	Witness statement of John Pasalis	2015-02-02
289	Witness statement of Mark Enchin	2015-10-06
291	Witness statement of Sam Prochazka	2015-02-03
293	Witness statement of Scott Nagel	2015-02-05
295	Witness statement of Tarik Gidamy	2015-01-30
297	Witness statement of Bill McMullin	2015-02-05
308	Witness statement of Pamela Prescott	2015-09-24
306	Witness statement of Donald Richardson	2015-10-05
310	Witness statement of Evan Sage	2015-10-06
314	Witness statement of Tung-Chee Chan Tradeworld Realty Inc.	2015-10-06
312	Witness statement of Timoleon Syrianos Ultimate Realty Inc.	2015-11-06
315	Witness statement of Gary Simonsen	2015-06-02
324	Witness statement of Bill McMullin	2015-07-31
357	Closing argument of the Canadian Real Estate Association	2015-11-12
358	Closing argument of the Commissioner of Competition	2015-11-12
359	Closing argument of the Toronto Real Estate Board	2015-11-12
394	Remedy submissions of the Canadian Real Estate Association	2016-05-25
395	Remedy submissions of the Commissioner of Competition	2016-05-25
396	Remedy submissions of the Toronto Real Estate Board	2016-05-25
398	Reply remedy submissions of the Canadian Real Estate Association	2016-05-31

399	Reply remedy submissions of the Commissioner of Competition	2016-05-31
400	Reply remedy submissions of the Toronto Real Estate Board	2016-05-31

Motion(s) and Related Document(s)

#	Title	Date
17	Request for leave to intervene of the Canadian Real Estate Association	2011-08-31
19	Brief of authorities	2011-08-31
21	Request for leave to intervene on behalf of Realtysellers Real Estate Inc.	2011-09-01
36	Brief of authorities of the Commissioner	2011-09-14
30	Notice of motion	2011-09-13
35	Response of the Commissioner of Competition to the motions for leave to intervene filed by the Canadian Real Estate Association and Realtysellers Real Estate Inc.	2011-09-14
106	Notice of motion	2012-02-09
123	Notice of motion	2012-02-27
261	Motion record of the Toronto Real Estate Board to stay or adjourn the October 14, 2014 reconsideration hearing	2014-05-23
262	Memorandum of fact and law of the Toronto Real Estate Board to stay or adjourn the October 14, 2014 reconsideration hearing	2014-05-23
267	Memorandum of fact and law of the Commissioner to stay or adjourn the October 14, 2014 reconsideration hearing	2014-05-30
268	Responding motion record of the Commissioner to stay or adjourn the October 14, 2014 reconsideration hearing	2014-05-30
271	Letter of reply of the Toronto Real Estate Board to the motion to stay or adjourn the October 14, 2014 reconsideration hearing	2014-06-03

Other(s)

#	Title	Date
194	Expert report of Dr. Greg Vistnes	2012-06-22
202	Expert report of Jeffrey Church	2012-07-27
177	Expert report of Fredrick Flyer	2012-08-13
221	Expert report of Dr. Greg Vistnes in reply	2012-08-23
214	Notice of constitutional question (NOT FILED - see PDF document)	2012-08-29
333	Expert report of Gregory S. Vistnes, Ph.D	2015-02-06
331	Expert report of Fredrick Flyer	2015-06-02
332	Expert report of Jeffrey Church	2015-06-15
334	Expert report of Gregory S. Vistnes, Ph.D.	2015-08-04

Decision(s)

#	Title	Date
41	Order relating to matters considered at the conference call of September 15, 2011	2011-09-16
59	Order relating to matters considered at the conference call of October 3, 2011	2011-10-03
63	Order extending the time for Realtysellers to serve and file a reply to the Commissioner's response to its motion to intervene	2011-10-04
77	Reasons and Order regarding motions to intervene by Realtysellers Real Estate Inc. and the Canadian Real Estate Association	2011-11-02

95	Scheduling Order	2012-01-20
104	Revised Scheduling Order	2012-02-07
121	Order on the Respondent's motion for a further and better affidavit of documents from the Commissioner	2012-02-21
145	Order on consent	2012-03-20
218	Confidentiality Order	2012-08-30
238	Reasons For Order and Order	2013-04-15
248	Scheduling Order	2014-04-07
255	Scheduling Order	2014-04-23
256	Order quashing the Order granting Realtysellers Real Estate Inc. leave to intervene	2014-04-23
257	Direction	2014-04-23
274	Reasons for Order and Order regarding a motion to stay or adjourn the reconsideration hearing scheduled to start on October 14, 2014	2014-06-18
283	Order on consent with respect to production of MLS data	2014-11-12
301	Revised Scheduling Order	2015-03-16
319	Order amending the revised Scheduling Order of March 16, 2015	2015-06-18
364	Order regarding exhibit A-122	2015-11-25
385	Reasons for Order and Order	2016-04-27
373	Summary of decision	2016-04-28
409	Order further to the reasons issued on April 27, 2016	2016-06-03