



Reference: *Commissioner of Competition v. Toronto Real Estate Board*, 2015 Comp. Trib. 20  
File No.: CT-2011-003  
Registry Document No.: 364

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

AND IN THE MATTER OF certain rules, policies and agreements relating to the residential multiple listing service of the Toronto Real Estate Board.

B E T W E E N:

**The Commissioner of Competition**  
(applicant)

and

**The Toronto Real Estate Board**  
(respondent)

and

**Canadian Real Estate Association**  
(intervenor)



Decided on the basis of the written record.  
Before Judicial Member: Crampton C.J.  
Date of Order: November 24, 2015

**ORDER REGARDING EXHIBIT A-122**

[1] **FURTHER TO** the hearing of the main application that was held in September and October, 2015;

[2] **AND FURTHER TO** the request made by counsel for the Toronto Real Estate Board, on consent, to change the confidentiality designation of Exhibit A-122, that was filed at the main hearing, from a public document to a confidential document;

[3] **AND FURTHER TO** the correspondence of counsel for the Toronto Real Estate Board, dated November 16, 2015, providing further explanations regarding the request;

**NOW THEREFORE THE TRIBUNAL ORDERS THAT**

[4] The request made by the Toronto Real Estate Board is herewith granted and the confidentiality designation of Exhibit A-122, filed on September 24, 2015, is changed to CA-122.

DATED at Ottawa, this 24th day of November, 2015.

SIGNED on behalf of the Tribunal by the presiding judicial member.

(s) Paul S. Crampton

COUNSEL:

For the applicant:

The Commissioner of Competition:

John F. Rook  
Andrew D. Little  
Emrys Davis

For the respondent:

The Toronto Real Estate Board

Donald S. Affleck  
David N. Vaillancourt  
Fiona Campbell

For the intervenor:

Canadian Real Estate Association

Sandra Forbes  
James Dinning