



Reference: *Commissioner of Competition v. Toronto Real Estate Board*, 2015 Comp. Trib. 5
File No.: CT-2011-003
Registry Document No.: 319

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

AND IN THE MATTER OF an application by the Commissioner of Competition pursuant to section 79 of the *Competition Act*;

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: Gascon J. (Chairperson)
Date of Order: June 18, 2015

ORDER AMENDING THE REVISED SCHEDULING ORDER OF MARCH 16, 2015

[1] **FURTHER TO** the application filed by the Commissioner of Competition pursuant to section 79 of the *Competition Act*, R.S.C. 1985, c. C-34;

[2] **AND FURTHER TO** the Revised Scheduling Order of March 16, 2015, and the correspondence received from counsel for the Commissioner asking, on behalf of all parties, that the Revised Scheduling Order be amended so as to provide for a case conference in mid-July 2015;

[3] **AND FURTHER TO** the request from counsel that the reconsideration hearing take place in Toronto, Ontario;

[4] **AND UPON** noting that section 15 of the *Competition Tribunal Act*, R.S.C. 1985, c. 19 (2nd Supp.), provides that the Tribunal may sit at such places throughout Canada as it considers necessary or desirable for the proper conduct of its business;

NOW, THEREFORE, THE TRIBUNAL ORDERS AS FOLLOWS:

[5] The Revised Scheduling Order, dated March 16, 2015, is amended as follows:

[14] A pre-hearing conference will be held the week of July 20, 2015, to address any issues that may arise prior to the hearing.

[15] The schedule for the hearing shall be as follows:

Monday, September 21, 2015 –
Thursday, September 24, 2015

First week of hearing (4 days) to take place in Toronto, Ontario (at 180 Queen Street West). The Registry will provide the parties with the precise location of the hearing room once it has been assigned.

Monday, October 5, 2015 –
Wednesday, October 7, 2015

Second week of hearing (3 days) to take place in the hearing room of the Competition Tribunal in Ottawa, Ontario.

DATED at Ottawa, this 18th day of June, 2015.

SIGNED on behalf of the Tribunal by the Chairperson

(s) Denis Gascon

COUNSEL:

For the applicant:

The Commissioner of Competition:

John F. Rook

For the respondent:

The Toronto Real Estate Board

Donald S. Affleck

For the intervenor:

Canadian Real Estate Association

Sandra Forbes