



Social Justice Tribunals Ontario

Providing fair and accessible dispute resolution

Human Rights Tribunal of Ontario
655 Bay Street, 14th Floor
Toronto ON M7A 2A3
Tel: 416-326-1312 or 1-866-598-0322
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Tribunaux de justice sociale Ontario

Pour une justice accessible et équitable

Tribunal des droits de la personne de l'Ontario
655, rue Bay, 14^e étage
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HRTO FILE: **2018-33503-S**

August 10, 2018

Kelly Donovan
11 Daniel Place
Brantford, Ontario N3R 1K6
Via mail and email:
kelly@fit4duty.ca

Re: Kelly Donovan v. The Regional Municipality of Waterloo Police Services Board, and Bryan Larkin

Subject: Notice of Intent to Dismiss

The Human Rights Tribunal of Ontario (HRTO) is in receipt of an Application for Contravention of Settlement, HRTO file number 2018-33503-S filed by Kelly Donovan on July 27, 2018.

The HRTO has reviewed the Application for Contravention of Settlement. It appears the Application for Contravention of Settlement is outside the HRTO's jurisdiction because:

- the Application for Contravention of Settlement was filed more than six months after the alleged contravention of settlement described in your Application for Contravention of Settlement and you do not appear to have cited facts that constitute "good faith" within the meaning of the HRTO's case law [s.45.9(4)]. See for example *Thomas v. Toronto Transit Commission*, 2009 HRTO 1582 (CanLII) and see for example *Diler v. Cambridge Memorial Hospital*, 2010 HRTO 1224 (CanLII) for a discussion of "good faith", and see for example *Freitag v. Penetanguishene (Town)*, 2012 HRTO 1644 (CanLII) for a discussion of "good faith" within the context of Applications for Contravention of Settlement.

Child and Family Services Review Board
Custody Review Board
Human Rights Tribunal of Ontario
Landlord and Tenant Board Ontario
Special Education (*English*) Tribunal Ontario
Special Education (*French*) Tribunal Ontario
Social Benefits Tribunal

Commission de révision des services à l'enfance et à la famille
Commission de révision des placements sous garde
Tribunal des droits de la personne de l'Ontario
Commission de la location immobilière
Tribunal de l'enfance en difficulté de l'Ontario (*anglais*)
Tribunal de l'enfance en difficulté de l'Ontario (*français*)
Tribunal de l'aide sociale

You may wish to review the provisions of the *Human Rights Code* noted above as well as the HRTO's Rules of Procedure and Guides to its processes, all available on the HRTO's website at www.sjto.on.ca/hrto, before responding to this Notice. HRTO decisions can be accessed free of charge on CanLII at www.canlii.org.

You **must** provide written submissions responding to the issues identified above. You **must** file your written submissions **on or before September 07, 2018**.

At this time, the respondents are not required to file a Response to Application for Contravention of Settlement (Form 19). The HRTO will communicate further directions to the respondents once the applicant's submissions have been reviewed.

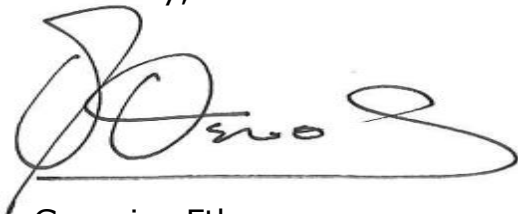
The HRTO will consider your submissions and may decide whether to dismiss your Application for Contravention of Settlement, may decide to continue processing the Application for Contravention of Settlement or may provide further directions to the parties regarding this proceeding.

If you do not respond to this letter and file written submissions by the deadline, the HRTO will consider the failure to respond as an abandonment of your Application for Contravention of Settlement and dismiss the Application for Contravention of Settlement for that reason.

You may file your written submissions with the HRTO by email, fax or mail. Please clearly write your name and the HRTO file number, **2018-33503-S**, on all correspondence and any other documents you file with the HRTO.

The HRTO will send a copy of its decision, a registrar's letter or directions regarding the next steps in this proceeding to you. Unless you fail to respond to this letter by the deadline and your file is dismissed as abandoned, a copy of your Application for Contravention of Settlement, the HRTO's decision, letter or directions regarding next steps as well as copies of your submissions and any other correspondence between you and the HRTO will be sent to the respondent(s) and to any trade union or occupational or professional organization named in your Application for Contravention of Settlement.

Sincerely,

A handwritten signature in black ink, appearing to read 'Georgios Fthenos', written over a horizontal line.

Georgios Fthenos
Registrar

cc.

The Regional Municipality of
Waterloo Police Services Board
c/o Virginia Torrance
200 Maple Grove Rd.,
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