

Hearing via Teleconference

Teleconference hearings are generally conducted the same way as in-person hearings except they are held over the telephone. However, as the parties to the dispute as well as the adjudicator are participating in the hearing from separate locations, the evidence to be brought forward by each party must be submitted and shared in advance of the hearing.

If you have any questions regarding your teleconference hearing, contact the Office of the Superintendent of Real Estate Brokers and Salespersons (Office of the Superintendent) by email at FSRD@gov.nl.ca or telephone at 709-729-2600 or toll free anywhere in Newfoundland and Labrador at 877-968-2600. Please reference your file number.

Representation

Parties to a dispute most often represent themselves at the hearing. However, parties to a dispute may authorize another person to represent them at a hearing. A representative can be a family member, a friend, or someone who works for an advocacy organization.

An Authorized Representative form must be completed and submitted to the Office of the Superintendent by a party to a hearing to authorize another person to represent them in a proceeding and to receive the applicant's case file.

An authorized representative can provide argument at a hearing but cannot provide testimony on behalf of the represented party. The authorized representative is not delegated authority allowing the applicant's representative to make decisions or sign documents on behalf of the party represented.

Witnesses

Witnesses may provide testimony for teleconference hearings but are not permitted to attend the entire hearing. Witnesses may only participate in the hearing to provide their testimony.

Any party planning to call witnesses in a teleconference hearing should provide a Witness List to the Office of the Superintendent no less **3 days before** the scheduled hearing date. This list should include the name, telephone number of the witness to be called.

The Office of the Superintendent will then provide you with information about the procedure your witness will be required to follow on the date of the hearing.

A witness list may be provided to the other party but is not required by the Office of the Superintendent.

Documentary or Recorded Exhibits

Documentary or recorded exhibits not provided or served with the application and notice of hearing may still be submitted. Any party planning to submit additional exhibits to be considered at the hearing must provide an Exhibit List to the Office of the Superintendent. The exhibits listed should be provided to the Office of the Superintendent as well as to the other parties no less than **3 days before** the scheduled hearing date.

Submission of Exhibits

Exhibits may be provided to the other party using the same methods of service permitted for serving an Application for Dispute Resolution. Each party to the application must be provided a copy of the exhibit being entered into evidence in the hearing process.

Exhibits provided to the Office of the Superintendent may be submitted by postal mail, email or facsimile:

Mailing Address:

Superintendent of Real Estate Brokers and Salespersons
Department of Digital Government and Service NL
Consumer and Financial Services Division
P.O. Box 8700
St. John's, NL A1B 4J6

Subject: Real Estate Trust Account Dispute Resolution

Civic Address:

Superintendent of Real Estate Brokers and Salespersons
Department of Digital Government and Service NL
Consumer and Financial Services Division
Motor Registration Building
149 Smallwood Drive
Mount Pearl, NL

Subject: Real Estate Trust Account Dispute Resolution

Email: FSRD@gov.nl.ca

Facsimile: 709-729-6998

Acceptable digital file formats include the following: doc, docx, pdf, jpg, tif, png, mpg, wmv, m4v, mp4, wav

Exhibits stored on file sharing services such as Google Drive, Microsoft OneDrive, Dropbox etc. will not be accepted.

Exhibits provided to the Office of the Superintendent are not automatically entered into evidence. An exhibit is entered into evidence when you present the exhibit in the hearing to support your position or argument and it is accepted as evidence by the adjudicator. Exhibits provided to the Office of the Superintendent but not presented to the adjudicator at the hearing may not be considered as evidence.

Exhibits not provided to the other party may result in the exhibit not being entered into evidence by the adjudicator or considered in the decision making process.

Hearing Date

On the date and time of your hearing, dial the conference call telephone number provided on your Notice of Hearing document and enter the conference code also provided on the Notice of Hearing document.

Do not come to the Office of the Superintendent on the hearing date.

The adjudicator will review the evidence list at the beginning of a hearing and ensure that all parties have been sent the evidence listed.

At the Hearing

The adjudicator will confirm that all parties are in receipt of the exhibits submitted into evidence.