APPLICATION TO INSTITUTE PROCEEDINGS

Sections 84 and 114 of the *Charter of Human Rights and Freedoms*, CQLR, c. C-12 Section 13 of the *Regulation of the Human Rights Tribunal*, CQLR, c. C-12, r. 6

GENERAL INFORMATION

This form allows the plaintiff to institute proceedings with the Human Rights Tribunal by filing an *Application to Institute Proceedings*.

The plaintiff must:

- (1) Have filed a complaint with the Commission des droits de la personne et des droits de la jeunesse (Commission);
- (2) Have received a Resolution and a letter from the Commission which mention that the case can be brought before the Tribunal, in accordance with section 84 of the Charter;
- (3) Submit an application to the Tribunal **within 90 days** of the receipt of the documents from the Commission (the failure to submit within this time period will entail the dismissal of the application).

PROCEDURE

FILING AT THE COURT OFFICE

You must file your *Application to Introduce Proceedings* at the office of the Court of Québec in the judicial district where the defendant resides or has his principal business establishment. It must be **filed in 6 copies**, **plus 1 additional copy for each defendant** (e.g. when there are 2 defendants, you must file 8 copies).

To find the location of a courthouse: https://www.justice.gouv.qc.ca/en/join-us/find-a-courthouse

JUDICIAL COSTS

Judicial costs are charged when you file your application. The clerk of the Court of Québec will inform you of the amount you must pay.

FILE NUMBER

A file number will be assigned by the clerk of the Court of Quebec when you file your application. You must include this number on all documents and procedures that you will subsequently file.

NOTIFICATION

Your *Application to Institute Proceedings* must then be served by <u>court bailiff</u>. The bailiff's report, attesting that your proceedings have been notified to the other parties, must be filed at the office of the Court of Québec. **PLEASE NOTE** that notification by mail, registered mail, email or courier service (Purolator, Dicom, etc.) is not accepted.

CHECKLIST

Before filing your application:

You must print your application on one side of each page (recto);

You must sign on page 3;

You must attach a copy of the Commission's Resolution and of the letter accompanying the

Resolution:

You must have 6 copies of the *Application to Institute Proceedings* and of the documents mentioned above, plus 1 additional copy for each defendant.

1	CANADA
PROVINCE OF QUÉBEC	
DIS	TRICT OF

File no:

For use by the office of the Court of Québec

APPLICATION TO INSTITUTE PROCEEDINGS

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2 IDENTIFICATION OF THE PARTIES	
Enter the names and contact information of all the parties. You must notify the Tribunal of	any subsequent changes.
Plaintiff 1	
Given name and family name	Telephone
Address	•
No. Street Apt./Office City	Province Postal code
I consent to receive notification of all documents and judgements from the Tribunal by email	Email
Plaintiff 2	
Given name and family name	Telephone
Address	
No. Street Apt./Office City	Province Postal code Email
I consent to receive notification of all documents and judgements from the Tribunal by email	Email
Plaintiff 3	
Given name and family name	Telephone
Address	
No. Street Apt./Office City	Province Postal code
I consent to receive notification of all documents and judgements from the Tribunal by email	Email
Defendant 1	-
Given name and family name	Telephone
Address	1
No. Street Apt./Office City	Province Postal code
Email	
Defendant 2	
Given name and family name	Telephone
Address	1
No. Street Apt./Office City	Province Postal code
Email	
Defendant 3	
Given name and family name	Telephone
Address	•
No. Street Apt./Office City	Province Postal code
Email	

3 COMPLAINT WITH THE COMMIS	SSION				
Date the complaint was filed with the Cor	mmission	Year	Month	Day	
Date of receipt of the letter and Resolution	on from the Commission	Year	Month	Day	
Please note: The letter and the Resolution from	the Commission must be filed with the	ne application.			
A VOLUBELIEVE VOLUMEDE A VIO	TIM OF				
4 YOU BELIEVE YOU WERE A VIC Check the box or boxes that apply to your case.	TIM OF				
Check the box of boxes that apply to your case.					
Discrimination	Harassment	Exploitation of	an aged or handicapp	ped person	
In cases of discrimination or harassr	ment:				
Check the box or boxes corresponding to each ga	round of discrimination or harassmer	nt that applies to yo	our case.		
Age	Age Gender identity or expression		Ethnic or national	Ethnic or national origin	
Employment-related criminal record	Pregnancy		Race/Colour	Race/Colour	
Social condition Handicap or use of any means to palliate a handicap		Religion	Religion		
Political convictions	Language		Sex		
Civil status	Sexual orientation				
Field(s) or sector(s) of activities cond	cerned:				
Check the box or boxes that apply to your case.					
Access to a means of transportation or a public space	Judicial rights		Profiling		
Juridical act concerning goods or services ordinarily offered to the public	Political rights	Political rights		Discriminatory publicity	
Discriminatory clause in a juridical act	Hiring/Employment	Hiring/Employment		Reprisals	
Economic and social rights	Fundamental freedoms	s and rights			
5 SUMMARY OF THE ALLEGED IN					
You will have the opportunity to further describe t	them in the Plaintiff's Factum.				
6 CONCLUSIONS SOUGHT					
Enter the amounts you are claiming and, if appli claimed against each defendant. The amounts of Plaintiff's Factum, you will have to explain the rea	laimed can be different from the one	s suggested in the	than one defendant, sta Resolution of the Comr	te the amounts nission. In your	
Amount for material damages					
These are the amounts that you lost or were forc have been a victim. For example: rent increase, I		ation, harassment	or exploitation of which	you claim to	
	• ,				

Amount for moral damages							
These are the amounts that the Tribunal can award in order to compensate for the moral damage caused by the discrimination, harassment or exploitation of which you claim to have been a victim. For example: loss of quality of life, psychological suffering, attack to your dignity, humiliation, loss of self-esteem.							
Amount for punitive damages							
These are the amounts that the Tribunal can award if the discrimination, harassment or exploitation of which you claim to have been a victim was intentional or that the consequences were intended or at least foreseeable.							
Total amo	unt						
rotal allio							
Order(s) sought:							
The Tribunal may order the defendant(s) to tarrights. For example: reinstatement in the work p				e infringement of your			
7 SETTLEMENT CONFERENCE							
The Settlement Conference is an alternative to This is a closed doors process, free of charge,			micable settlement (medi	iation) to their dispute.			
Do you wish to participate in a Settlen		YES	NO				
SIGNATURE							
Plaintiff 1	Plaintiff 2		Plaintiff 3				
Signed in,	Signed in	,	Signed in	City,			
ON	on		on	Date .			
			1				

PLEASE NOTE: You must file a Factum (See the form Plaintiff's Factum and List of Exhibits) at the same time or within 15 days of filing your Application to Institute Proceedings. This procedure explains more in depth the facts of the case. The failure to file your Factum within the time limit may entail the dismissal of your application.

No:				
HUMAN RIGHTS TRIBUNAL (Office of the Court of Québec) DISTRICT OF				
and				
and				
Plaintiffs V.				
and				
and				
Defendants				
APPLICATION TO INSTITUTE PROCEEDINGS				
Amount in dispute:				
Name: Address: Telephone: Email:				