



COMMISSION HEARING

TORONTO, ONTARIO – FEBRUARY 22, 2012

**IN THE MATTER OF THE RACING COMMISSION ACT S.O. 2000, c.20;
AND IN THE MATTER OF THE APPEAL AND REQUEST FOR HEARING BY
STANWARDBRED LICENSEE LORNE HOUSE**

On December 9, 2011, standardbred driver Lorne House, (HOUSE) (ORC Licence #6FP81), appealed Judges' Ruling SB43626, dated December 9, 2011, wherein the horse "Lucky Beach" was placed from 3rd to 8th for causing interference while off stride, failing to continuously lose ground, and gaining an advantage while inside the pylons, on December 6, 2011, at Western Fair Racetrack, in violation of Rules 22.27(c), 22.09, and 18.08.02 of the Rules of Standardbred Racing.

On February 22, 2012, a Panel of the Ontario Racing Commission ("ORC") consisting of Chair Rod Seiling, was convened to hear the appeal.

Rick Rier appeared as agent for the Administration. HOUSE attended the hearing in person and was unrepresented.

Upon hearing the testimony of Judge Paul Harrison, and HOUSE, upon reviewing the exhibits filed and upon hearing the submissions of Rier, the Panel dismissed the appeal.

A transcript of the Panel's Oral Decision is attached to this Ruling.

Dated at Toronto, Ontario this 1st day of March 2012.

BY ORDER OF THE COMMISSION



Steve Lehman
Acting Executive Director

ONTARIO RACING COMMISSION

STANDARD BRED B HEARING

IN THE MATTER OF THE RACING COMMISSION ACT, 2000,
S.O. C.20 AND THE RULES OF STANDARD BRED RACING:

IN THE MATTER OF THE APPEAL AND REQUEST FOR
HEARING OF **LORNE HOUSE**:

Held Before:

Rod Seiling, Chairman

These are an excerpt of the proceedings in the above mentioned matter held before The Ontario Racing Commission, Re: **LORNE HOUSE**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 22nd day of February, 2012.

Appearances:

Rick Rier,

agent for the Ontario Racing
Commission Administration

1 Hearing continued ...

2 MR. CHAIRMAN: All rise. Please be seated. The issue before us today is
3 did the appellant Lorne House violate Rules 22.27(c), 22.09 and 18.08.02. After
4 carefully listening to the testimony and reviewing the evidence and documents filed
5 the panel denies the appeal. The standard of proof is on a balance of probabilities
6 with the onus of proof on the Administration of the ORC. Based on the evidence it is
7 reasonable to conclude that the appellant Lorne House violated rules 22.27(c), 22.09
8 and 18.08.02. The testimony of Judge Harrison, on the balance of probabilities,
9 supports the fact that Mr. House's horse interfered with and gained an unfair
10 advantage. Mr. House opted not to accept an adjournment to allow Mr. McNair to
11 testify and be cross-examined. The audio tape of Mr. McNair stating he had to check
12 his horse clearly supports the testimony of Judge Harrison. The penalty assessed is
13 not varied, the placing remains. Thank you.

14 MR. HOUSE: Thank you.

15 MR. RIER: Thank you.

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21 CERTIFIED CORRECT

22 RAYMOND P. MACDONALD, B.A., CVR
23 Commissioner of Oaths