



Landlord and Tenant Fact Sheet

RTB-128

Resolving a Dispute on Your Own

Take steps to avoid having a dispute with your landlord or tenant. Most problems arise because someone does not realize they have broken the tenancy agreement or they do not know their rights or responsibilities under the law. Taking the time to know your rights and responsibilities, and fully understanding your tenancy agreement, can help ensure a good landlord and tenant relationship.

When people sort out a problem themselves and agree about how to solve it, there does not need to be a winner or a loser. Taking the time to understand each other's position and exploring ways to meet each other's needs and interests can result in a good outcome for everyone. There also are other benefits:

- **control:** more control over both the process and outcome.
- **less cost:** no application fees or court fees.
- **flexibility:** the solution can meet the needs of both parties.
- **confidentiality:** control over the amount and type of information disclosed.
- **better relationship:** working through the issue together builds a better relationship.

Tips for negotiating

Know your rights and responsibilities under British Columbia's rental laws. The Residential Tenancy Branch provides easy-to-read fact sheets and guides that explain the law. The tenancy agreement might also contain terms relevant to the problem.

Have a goal in mind. Know what the problem is. Your goal should be to find a good solution to the problem that works for both the landlord and the tenant.

Let the other person know you have a problem. Either tell the other person directly or prepare a letter that explains the issue.

Meet face to face. Ask to meet in a place where you will not be interrupted and where both of you will feel safe. Tell your story and provide any documents that support your position. Listen to the other person's response and try to understand their perspective. Put forward your suggestions for a solution and listen to their suggestions. Assume that the other person is acting in good faith unless you have evidence to the contrary.

Talk it out. Many problems can be solved if the issue is discussed thoroughly. It may take more than one meeting. Keeping the discussion going shows your interest in finding a solution.

Be respectful. It is very important to be respectful to the other person and respect their points of view.

Keep your cool. Do not lose your temper, even if the other person does. Stay calm and represent yourself in the most professional manner possible. Stay focused on the issue that needs resolving and do not get distracted by the other person's temperament. The other person may be angry and intent on proving they are right and you are wrong. If things get too heated, take a day or two to cool off and try to open the discussion again. The other person might be more willing to discuss the options calmly and openly after having some time to think about it.

Document everything. Make and keep a written record of everything that takes place and keep an organized file. The documentation should include information that demonstrates what the problem is and how it came about.

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 387-1602 Elsewhere in BC: 1-800-665-8779
Website: www.rto.gov.bc.ca

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Know when it is time to apply for dispute resolution. If communication has broken down and the dispute cannot be resolved, dispute resolution might be the best solution. Either the landlord or tenant can submit an Application for Dispute Resolution. Letting the other person know you intend to apply can sometimes result in a renewed interest in reaching a mutual agreement.

Dispute Resolution

Dispute resolution is the formal process for resolving landlord-tenant disputes and is similar to a court proceeding. The Residential Tenancy Branch schedules the hearings and maintains the file of documents related to each dispute resolution case.

- See Fact Sheet RTB-127 "Preparing for Dispute Resolution."

A dispute resolution officer (DRO) will conduct a hearing on the disputed matter. The DRO hears both sides, weighs the evidence and makes a decision within 30 days of the hearing date.

A DRO's decision is legally binding. No one, other than the DRO or the Supreme Court of British Columbia, has the authority to change a DRO's original decision.

For more information ...

Visit the RTB's Web site at www.rto.gov.bc.ca.

Call an Information Officer or listen to our 24 Hour Recorded Information Line:

Lower Mainland: 604-660-1020

Victoria: 250-387-1602

Elsewhere in BC: 1-800-665-8779

Visit the RTB nearest you:

Burnaby: 400-5021 Kingsway

Victoria: 1st Floor, 1019 Wharf Street

Kelowna: 305-478 Bernard Avenue

RTB Burnaby, Victoria and Kelowna are open 8:30 a.m. to 4:30 p.m., Monday to Friday.

All RTB offices are closed on statutory holidays.

If there is no RTB in your area, you can get residential tenancy guides, fact sheets and forms online at www.rto.gov.bc.ca or at any Service BC—Government Agents Office.