



Landlord and Tenant Fact Sheet

RTB-122

How to Fill in an Application for Dispute Resolution

The names that appear on the Application for Dispute Resolution will be used in decisions and orders, so it is important that you enter them completely and correctly. An order may not be enforceable through the court if the names and addresses are incorrect or incomplete.

Applicant

If your dispute is about a manufactured home site, put an "x" in the box that says the application is being made under the *Manufactured Home Park Tenancy Act*. If your dispute is about a rental unit, put an "x" in the box that says the application is being made under the *Residential Tenancy Act*.

Put your FULL legal name, complete mailing address including postal code, home and business phone numbers, and indicate, by checking in the appropriate box, if you are a landlord or tenant. If there is more than one applicant, each must be separately entered, e.g., John Smith and Mary Smith, rather than John and Mary Smith. If the name you are entering on the form is a business name, enter the full legal business name in the 'last name' form field box. If there are more applicants to be listed, use a Schedule of Parties (form RTB-26) and file it with the completed Application for Dispute Resolution.

Respondent

This is the person(s), or company that you are filing against. Make sure you fill in the FULL legal name (William Smith, rather than Bill Smith), full and complete address including postal code, and phone numbers, and indicate if they are the landlord or tenant by ticking off the appropriate box. If there is more than one respondent, each must be separately entered, e.g., John Smith and Mary Smith, rather than John and Mary Smith. If the name you are entering on the form is a business name, enter the full legal business

name in the 'last name' form field box. If there are more respondents to be listed in the application, use a Schedule of Parties (form RTB-26) and file it with the completed Application for Dispute Resolution.

Dispute address

Fill in the address of the manufactured home site or rental unit to which this application pertains.

Orders you are requesting

On the second page of the Application, put an "x" beside all the orders that relate to your claim. If the order you are requesting is not listed, put an "x" beside "other" and use a separate page to describe your claim.

For example, if you are a landlord who wants to evict a tenant for non-payment of rent, put an "x" beside "Order of possession – Notice to End Tenancy" given for unpaid rent or utilities (including early end of tenancy). At the bottom of the page, enter the date when the Notice to End Tenancy was served.

If you are a tenant who wants to stop your landlord from evicting you for cause, put an "x" beside "Cancel a Notice to End Tenancy given for cause". At the bottom of the page, enter the date when you received the Notice to End Tenancy.

If your Application includes a request for a monetary order (for example, unpaid rent or a claim for damages), enter the total amount of money being claimed at the end of the Application form. Make a list of the individual items you are claiming along with a \$\$ value for each, and show a total \$\$ amount for your total claim.

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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For example:

| | |
|---------------------------|----------------|
| Rent owing for March 2006 | \$ 700 |
| Carpet Repair | \$ 400 |
| Holes in walls | \$ 400 |
| Broken window | \$ 200 |
| <u>Cleaning</u> | <u>\$ 60</u> |
| TOTAL | \$ 1760 |

If you want the dispute resolution officer to order the Respondent to pay you the money you paid to file your Application, be sure to put an "x" beside "Recover filing fee from the tenant (or landlord) for the cost of this Application".

If you are a landlord who wants to increase the rent by an amount that is more than the Regulation allows enter the amount of the rent increase you want to get approved.

Signature

Be sure to print your name, sign your name and include the date of your application.

Filing your application

Submit your application on-line at www.rto.gov.bc.ca, or in-person at any RTB office or Service BC—Government Agent office

If you are filing your application in person, please submit as much of your evidence as possible with the Application.

What happens next

Once your Application has been approved by RTB staff, you will be required to pay the application fee. If you believe you may qualify for a fee waiver, you must provide proof of income and household expenses (see fact sheet RTB-123 "Residential Tenancy Branch Fees and Fee Waivers").

After the fee is paid (or waived), RTB will schedule a hearing date and will give you "Hearing Packages", one package for you and one for each respondent. Each package will include a copy of your application, a hearing letter with the date, time and method of your hearing, a copy of any documents or evidence you attached to your application, and a hearing information sheet. Your package will also contain service instructions which you should read and follow carefully.

See Fact Sheet RTB-126 "Deadlines for Serving Evidence and Submitting It to the Residential Tenancy Branch".

See Fact Sheet RTB-119 "How to Serve Documents".

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 B.C.: 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 and Victoria are open 8:30 a.m. to 4:30 p.m., Monday to Friday.

RTB Kelowna is open 8:30 a.m. to 12 noon, Monday to Friday for limited services.

All RTB offices are closed on statutory holidays.

If there is no RTB office 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.