



Fact Sheet

for Landlords and Tenants

#RTO-117

Applications for Arbitration

As part of the arbitration procedure, the Residential Tenancy Office (RTO) will prepare packages of documents (*Application for Arbitration Package*) for you and each of the other parties. Before these documents can be processed, you must complete and file an *Application for Arbitration* (RTO-12) and pay the required fee (see Fact Sheet on Fees, RTO-123). Below is the file number of your case and the date and time when you can pick them up. Office hours are 8:30 a.m. to 4:30 p.m., Monday to Friday.

File # _____

Your hearing packages will be ready after _____ a.m. p.m., on _____

Important Information

There will be a package of documents for you and each party named as a respondent. Before leaving the office, check each Application for Arbitration Package to make sure it contains the following:

- Notice of Hearing** — provides the file number and the date time and place of the hearing. Make sure that there are no spelling mistakes in the names of the parties. If the hearing is to be by telephone conference the numbers to be used will be shown. Please confirm that the phone numbers shown are accurate.
- Application for Arbitration** (RTO-12) — completed, with any submitted evidence attached.
- Important Information About The Arbitration Process** (Fact Sheet RTO-114) — this will provide parties with information about the arbitration procedure as well as service requirements. Please read this carefully.

Serving the documents

You must take steps to serve the other party(s) within **three days** of filing your application. If proper service is not made your application may be dismissed. Under the Residential Tenancy Act and the Manufactured Home Park Tenancy Act an Application for Arbitration Package must be served in one of the following ways:

- by leaving the package with the person,
- if the person is a landlord, by leaving the package with an agent of the landlord,

- by sending the package by registered mail* to the address where the person lives or, if the package is for a landlord to the address where the person carries on business as a landlord,
- if the person is tenant, by sending the package by registered mail* to a forwarding address provided by the tenant.

(*Documents sent by registered mail are deemed received on the fifth day after mailing)

In addition to the above service options, an application by a landlord for an Order of Possession or an Order Ending the Tenancy Early can also be served:

- by attaching a copy to the door or other noticeable place at the address where the tenant lives (deemed received on the third day after attaching, or
- by leaving a copy with an adult (19 years of age or older) who apparently lives with the tenant (deemed received on the day it is left).

If you have, or anticipate having, difficulty in meeting these requirements you may request an alternative means of service (substituted service). For more details on this, please speak to an Information Officer at the RTO.

Amending the application

If the Application for Arbitration Package has not been served, you may amend your application by bringing all the packages back to the RTO. If you have served the documents, you may still amend the application but you must meet all the service requirements in providing the amended application to the other party(s). For more details on this, please speak to an Information Officer at the RTO.

Re-scheduling or adjournment of hearings

A hearing date will only be re-scheduled if written consent is received from both the applicant(s) and the respondent(s) before noon on the second to last business day before the hearing (business days are Monday through Friday except statutory holidays).

If the parties cannot agree to re-schedule then one party may request an adjournment. The hearing will proceed at the scheduled time and the arbitrator will then consider the views of both sides and whether granting an adjournment will assist in a fair resolution of the dispute.

For more information . . .

Visit the RTO's Web site: www.rto.gov.bc.ca

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

- Lower Mainland: 604-660-1020
- Elsewhere in BC: 1-800-665-8779

E-mail the Residential Tenancy Office:

- HSRTO@gov.bc.ca

Visit the RTO nearest you:

- Lower Mainland
400 - 5021 Kingsway,
Burnaby, BC V5H 4A5
- Vancouver Island
1st Floor, 1019 Wharf Street,
Victoria, BC V8V 1X4
- Interior and North
101 - 2141 Springfield Road,
Kelowna, BC V1Y 7X1

Residential Tenancy Office hours at the Burnaby and Victoria offices are 8:30 a.m. to 4:30 p.m., Monday to Friday.

The Kelowna office is open 8:30 a.m. to 12:00 noon, Monday to Friday, and provides limited services only.

All of our offices are closed on statutory holidays.

If there is no Residential Tenancy Office in your area you can pick-up residential tenancy guides, fact sheets and forms at your local Government Agent Office or BC Access Centre.