



Application for Dispute Resolution-Expedited Hearing

Fast and easy! Apply online at www.gov.bc.ca/landlordtenant/online

- This application is being made under the *Manufactured Home Park Tenancy Act*
- This application is being made under the *Residential Tenancy Act*

#RTB – 12-EXH

DISPUTE ADDRESS: Address of the rental unit or manufactured home site in the dispute

unit/site #	street # and street name	city	province	postal code

Applicant (s): The person(s) applying for expedited hearing (check one box)
 (if entry for applicant is a business name, use the 'last name' field box to enter the full legal business name)

Tenant **Landlord**

1st applicant first and middle name(s)	1st applicant last name

2nd applicant first and middle name(s)	2nd applicant last name

provide one email address for primary applicant
 Email is not for service of documents. RTB will send decision/orders by email unless you ask RTB to send by a different method at the hearing.

Applicant Address: Address for service of documents or notices - where material will be given personally, left, faxed or mailed

unit/site #	street # and street name	city	province	postal code

daytime phone	Cellular phone	We will need to contact you during business hours to schedule an expedited hearing.	

- Yes, a *Schedule of Parties* (form RTB-26) is being used to add more Applicants to this application and is attached
- Yes, the Mailing Address is different from the Applicant Address, and is attached

Respondent (s): The other party to the dispute

If entry is a business name, use 'last name' field box to enter the full legal business name

1st respondent first and middle name(s)	1st respondent last name or full legal business name

2nd respondent first and middle name(s)	2nd respondent last name

provide one email address, if known, for primary landlord
 Email is not for service of documents. RTB will send the decision/orders by email unless you ask RTB to send by a different method at the hearing.

Respondent Address: Address for service of documents or notices - where material will be given personally, left, faxed or mailed

unit/site #	street # and street name	city	province	postal code

daytime phone	Cellular phone		

- Yes, a *Schedule of Parties* (form RTB-26) is being used to add more Respondents to this application and is attached
- Yes, the Mailing Address is different from the Respondent Address, and is attached

TO FILE THIS APPLICATION:

Submit your application and a copy of your available evidence in-person to:

- Burnaby Residential Tenancy Branch: 400 – 5021 Kingsway or any Service BC Office

Do not give a copy of the Application to the Respondent(s) until the Residential Tenancy Branch accepts it and you pay the application fee or obtain a fee waiver.

RTB use only – date stamp & initial

Your personal information is collected under section 26 (a) and (c) of the *Freedom of Information and Protection of Privacy Act* for the purpose of administering the *Residential Tenancy Act* and *Manufactured Home Park Tenancy Act*. If you have any questions regarding the collection of your personal information, please call 604-660-1020 in Greater Vancouver; 250-387-1602 in Victoria; or 1-800-665-8779 elsewhere in B.C.

SECTION A: Landlord use only: request for an order to end tenancy early

- End tenancy early **and** obtain an Order of Possession.

Note that no other dispute issues can be requested with this type of application except to recover the filling fee. You must provide evidence with this application to prove why this is urgent and how you cannot wait for a standard Once Month Notice to End Tenancy for Cause to be issued.

You must describe why this early end of tenancy is being requested

In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose, or the event occurred. Attach a separate sheet if necessary. Any additional sheets must be numbered and signed.

SECTION B: Tenant use only: request for emergency repairs OR an order of possession for the rental unit

Tenants may choose only one of the two options below. Do not use this form if you are requesting monetary compensation for emergency repairs you have already made, use the regular Application Form R.T.B. 12T

- I need the landlord to make emergency repairs for health or safety reasons. I have contacted the landlord to make the repairs but they have not been completed

OR

- I want to obtain an order of possession of the rental unit or site

You must describe what emergency repairs are required or why possession of the unit is being requested

In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose, or the event occurred. Attach a separate sheet if necessary. Any additional sheets must be numbered and signed.

APPLICANT INFORMATION ON REASONS FOR REQUESTING AN EXPEDITED HEARING

Please provide additional information or arguments on why this hearing should be scheduled on an expedited basis (use an additional page if necessary).

SECTION C Recover filing fee

Request for the cost of the filing fee to be recovered from the Respondent(s)

Applicant Signature(s) *(required to commence scheduling)*

I/We, the Applicant(s)/Agent for the Applicant(s), apply to the Director of the Residential Tenancy Branch for an earlier hearing than what we would normally receive under the Branch's usual processes. I understand that scheduling of an expedited hearing is based on the Branch's review of the urgency of the matter and suitable available hearing times. I/We have read this application in full. The information provided is true and correct to the best of my/our knowledge.

Signature(s): _____

Date: _____
day month year

SUPPORTING DOCUMENTS and INFORMATION

ATTACHMENTS:

You **must provide** all the evidence you wish to use to support your application at the time of filing your application

Please check off what is attached to this form:

- tenancy agreement
- witness statements
- photographs
- other *(state what the evidence is below)*

IMPORTANT NOTES

- Under the Rules of Procedure section 10, the director has established an expedited hearing process for three types of disputes, a landlord application to end a tenancy early (section 56 of the Residential Tenancy Act or 49 of the Manufactured Home Park Tenancy Act), and tenant applications for emergency repairs (section 33 of the R.T.A. or 27 of the MHPTA), or an order of possession for the rental unit or site (section 54 of the R.T.A. or 47 of the MHPTA).
- Expedited hearings are for emergency matters, where urgency and fairness necessitate shorter service and response time limits, other applications are not considered for an expedited hearing.
- No monetary claims are considered for expedited hearings, except a request for repayment of the filing fee.
- These hearings are typically scheduled between 12 and 16 days after the application is made, but in extremely urgent cases, it may be heard as soon as 6 days after the application is made subject to an available hearing slot.
- The director has the discretion to decide what constitutes an extremely urgent case

- Special service times and provisions apply to the application and evidence.
- Applicants seeking an expedited hearing must be willing and able to serve the respondent in the approved methods – see document RTB-9 for information.
- The director’s delegate may contact the applicant to confirm dispute details before setting the matter down for an expedited hearing. Therefore, a daytime phone number is required.
- Applications for expedited hearings may not be amended to include other claims, and may only be amended at the hearing with the permission of the arbitrator.
- The director may require an applicant to confirm how they will serve the application documents and evidence on the respondent before the director will set the application down for an expedited hearing.
- Failure to comply with the rules of procedure or policy guidelines may result in the expedited hearing being dismissed or adjourned to a later date.
- The onus is on you to prove your case through the testimony and evidence you provide for the hearing. You must give (“serve”) a copy of your evidence to the other party. Please note that special timelines to serve your evidence on the other party apply to these hearings.
- To end a tenancy early, the landlord must prove that the tenant has done something contrary to the legislation as set out in section 56 of the Residential Tenancy Act or section 49 of the Manufactured Home Park Tenancy Act, and, that it would be unreasonable or unfair to the landlord or other occupants to wait for a Notice to End tenancy for cause.
- Emergency repairs include major leaks in plumbing or the roof, damaged or blocked water or sewer pipes, the primary heating system, damaged or defective locks that give access to a rental unit, electrical systems, or other things that are necessary for the health or safety of anyone, or to preserve the residential property.
- In order to obtain an order of possession, a tenant must prove they have a tenancy agreement (either written or oral) with the landlord that supports they have a right to be in possession of the rental unit.
- For more information see Policy Guideline #51 Expedited Hearings.

WHERE TO SUBMIT:

Submit completed and printed application, with attachments and fee, or fee waiver documents, in person to:

Residential Tenancy Branch 400 - 5021 Kingsway Burnaby BC V5H 4A5

You can also file your application in person at any

Service BC office (to locate an office near you, call Enquiry BC 1-800-663-7867

FOR MORE INFORMATION

RTB website: www.gov.bc.ca/landlordtenant

Public Information Lines 1-800-665-8779 (toll-free) Greater Vancouver 604-660-1020 Victoria 250-387-1602