



Landlord and Tenant Fact Sheet

RTB-142

Administrative Penalties

Most landlords and tenants understand their rights and responsibilities and they choose to comply with the *Residential Tenancy Act* and the *Manufactured Home Park Tenancy Act*. When landlords and tenants disagree, they sort it out on their own or use the dispute resolution services offered by the Residential Tenancy Branch (RTB).

In serious repeated cases of non-compliance with the *Residential Tenancy Act* or the *Manufactured Home Park Tenancy Act*, the RTB may consider applying administrative penalties.

Administrative penalties are not an alternative to dispute resolution nor to existing mechanisms available to parties to enforce orders through the courts.

An administrative penalty matter is different from RTB dispute resolutions in a very important way. Dispute resolution hearings are between a landlord and a tenant. Administrative penalty matters are between the provincial government and the person who is thought to have broken the law or failed to comply with an arbitrator's decisions or orders.

Any person may advise the RTB of serious, repeated non-compliance with the law or with an arbitrator's decision or order. The Director, RTB may also consider matters at his discretion, as appropriate. Once an issue is raised, it will be assessed and a decision made as to whether or not further action is necessary and advisable.

Before administrative penalties are applied, the RTB will consider the seriousness of the infraction, how often it happened, what efforts were made to correct it and any financial benefit gained from the infraction. Those facing administrative penalties will have an opportunity to review evidence against them and respond before a decision is made.

Complaints/requests for consideration of administrative penalties can be sent to:

Director, Residential Tenancy Branch
PO Box 9844 Stn Prov Govt
Victoria BC V8W 9T2