

FACILITATION



Residential Tenancy Branch

Facilitation is a process during which a neutral Case Facilitator assists parties to resolve their dispute by agreement.

What is facilitation?

Facilitation is a process during which a case facilitator assists the parties to an application for dispute resolution to resolve their dispute by agreement. If all participants agree to resolve the dispute, the Case Facilitator may turn your settlement terms into an order that is enforceable through the courts.

If the Residential Tenancy Branch requires the parties to participate in the facilitated settlement process, it will schedule a facilitated settlement teleconference.

By participating in facilitation, disputes may be resolved quickly without the additional effort and cost related to a hearing. If a dispute is not resolved during facilitation, it will proceed to a hearing with an arbitrator who will make a final and binding decision.

What is a case facilitator?

A Case Facilitator is assigned to every application for dispute resolution that is required to go to facilitation. Case Facilitators are neutral, which means they won't take sides in your dispute or give legal advice.

During the facilitated settlement conference, the Case Facilitator will speak to the parties together and separately to explore whether the dispute can be resolved by agreement. Case Facilitators can also offer neutral non-binding opinions, which means that they can provide an estimate of a party's likelihood of success during arbitration.

If a dispute cannot be resolved during facilitation, the Case Facilitator will work with both parties to prepare them for the hearing with an arbitrator.

What are the possible outcomes for facilitation?

If the parties resolve their dispute by agreement, the Case Facilitator may issue an Order of Possession or Monetary Order, depending on the terms of the agreement. These orders can be enforced through the court.

The Case Facilitator can also issue a “director’s order” for a party to do something.

[More information about enforcing orders is available on the RTB website.](#)

What happens if I don’t take part in facilitation?

If the applicant does not attend the facilitated settlement conference, the Case Facilitator may consider the application for dispute resolution abandoned and dismiss it with or without leave to reapply.

If the respondent does not attend, the Case Facilitator may issue a final and binding decision based solely on the evidence submitted by the applicant.

How should I prepare for facilitation?

- Think about an agreement that can be reached with the other party to settle your dispute or resolve the problem
- Gather, prepare, and serve any evidence to the other party and the Residential Tenancy Branch as soon as possible
- Consider whether you would like a support person to attend the facilitated settlement conference with you, like an advocate