



Civil Resolution Tribunal

CIAJ Presentation

Shannon Salter, Chair

Ottawa, Ontario, October 2016

What is the CRT?



Civil Resolution
Tribunal

Part of the justice
system

1st online tribunal in
Canada



Bringing the justice
system to the public

Strata Jurisdiction

CRT **can** decide strata property disputes such as:

- fees and fines
- unfair actions by the strata council or majority of owners
- interpreting and enforcing:
 - strata bylaws
 - legislation
 - regulations
- problems with AGMs
- issues with repairs or common property

CRT **can** order a strata corporation, owner or tenant to:

- Do or stop doing something
- Pay money

CRT **can't** decide matters that affect land interest

Small Claims Jurisdiction

Small claims disputes up to \$25,000, including:

- debt or damages;
- recovery of personal property;
- personal injury; or
- specific performance of agreements

The tribunal will **not** decide matters that affect land

Why the CRT?



Access

- Rural parties
- Complexity
- Limited support



Time

- ~ 7-11 months (small claims)
- Delays & backlogs



Cost

- Travel
- Legal fees
- Court costs (strata)



Proportion

- Generic processes
- Limited ADR
- Few cases go to trial



CRT Amendments

Civil Resolution Tribunal Act, passed in 2012

- Voluntary jurisdiction:
 - most strata disputes
 - small claims matters

CRT Amendment Act, passed in 2015

- Mandatory for:
 - strata claims
 - small claims

(monetary limit
↑ over time)

Appeal Method

Small Claims

- Appeal to Provincial Court
- Basically *trial de novo*
- Cost/deposit consequences

Strata

- Appeal to BC Supreme Court
- Leave required
- Question of law

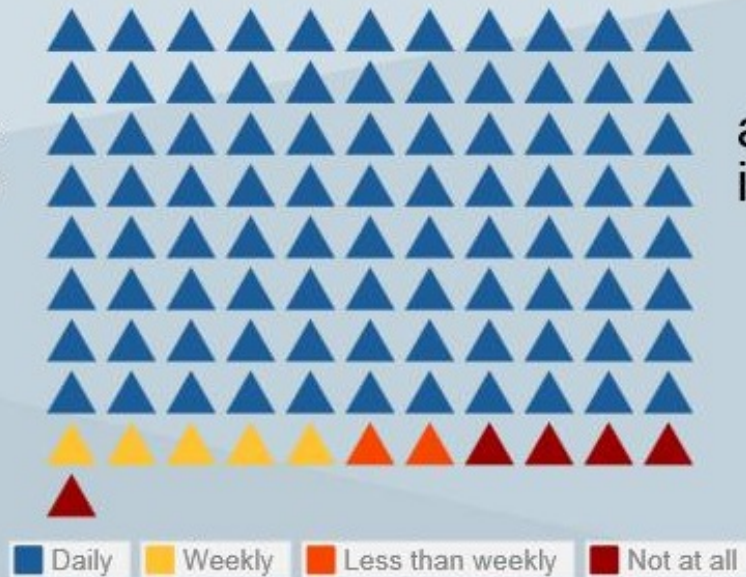
Online Civil Justice Services

Survey 2015

British Columbians are online

92% use the internet daily

another 5% use it weekly



Civil Resolution
Tribunal

Online Civil Justice Services

Survey 2015

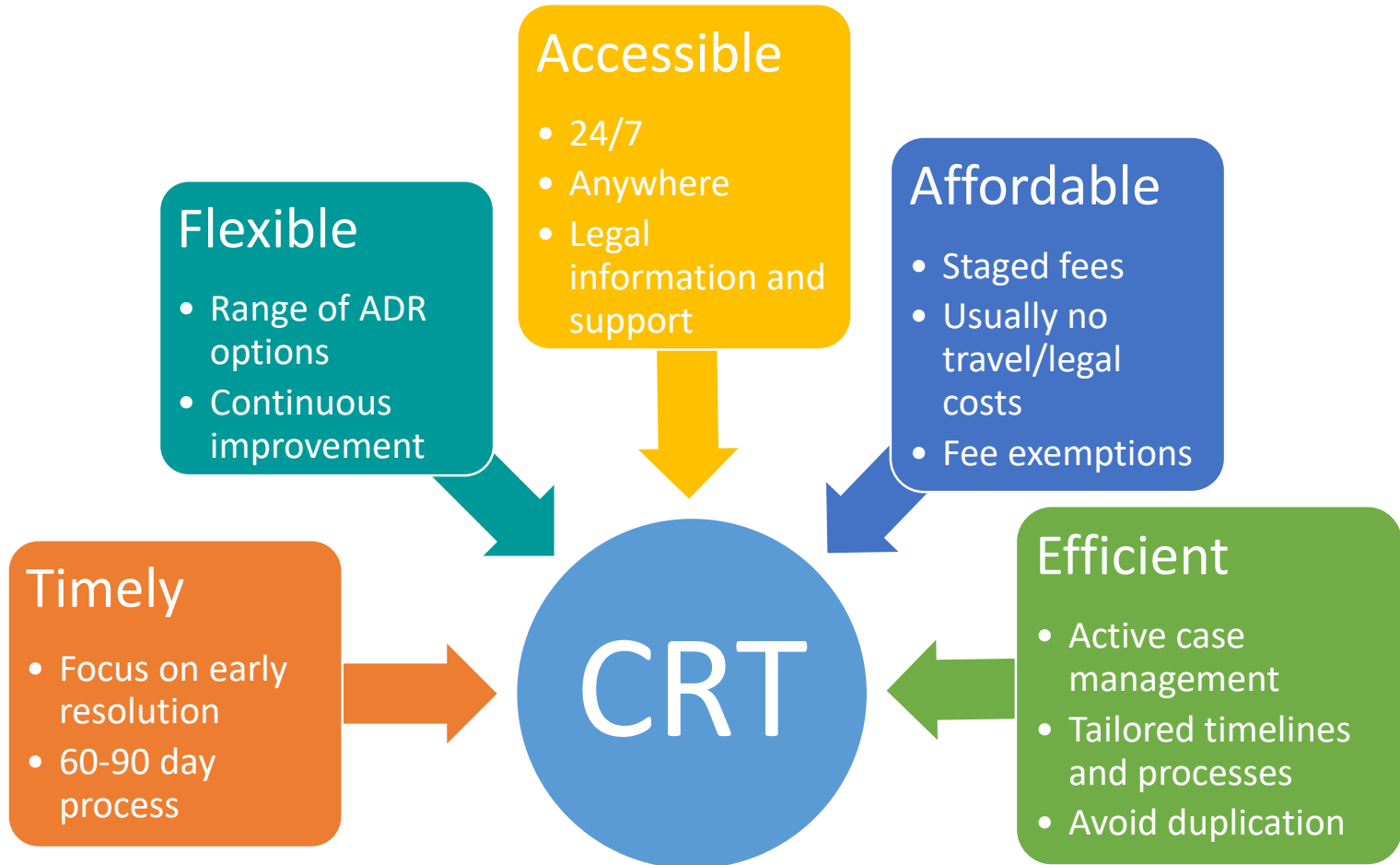


Civil Resolution
Tribunal

81%
would use an online civil justice process
that was user-friendly and available 24/7

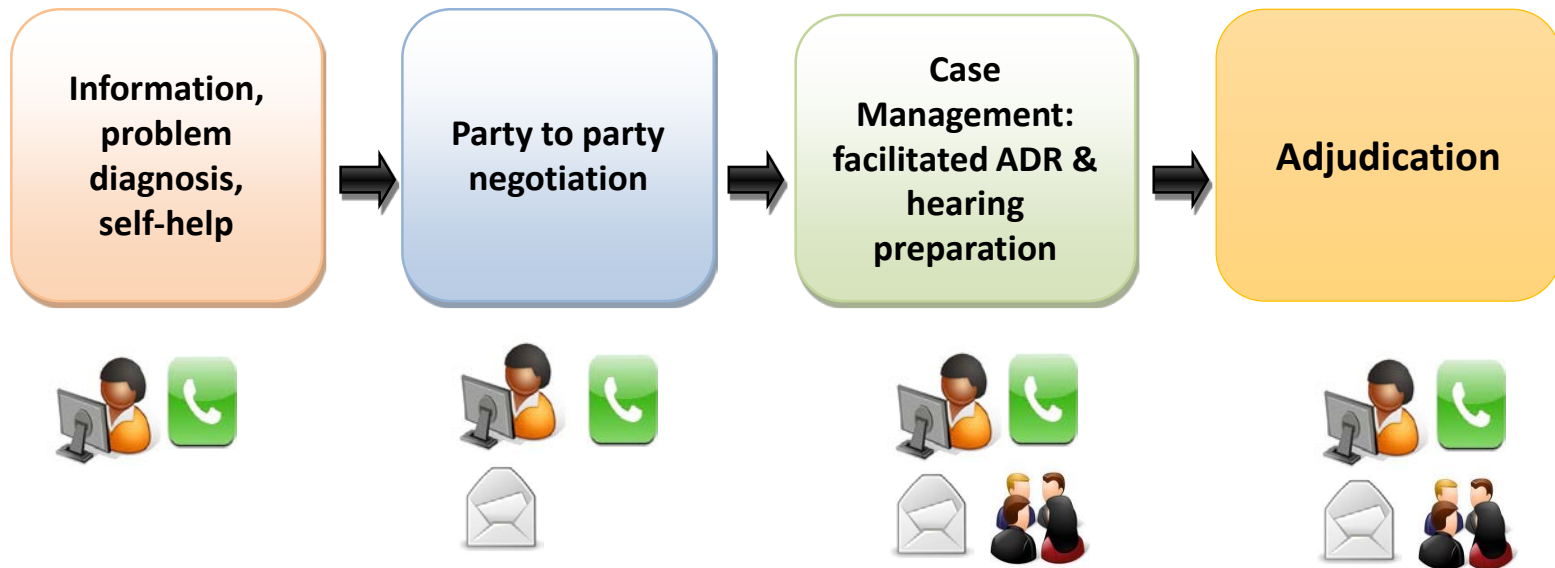


Guiding Principles

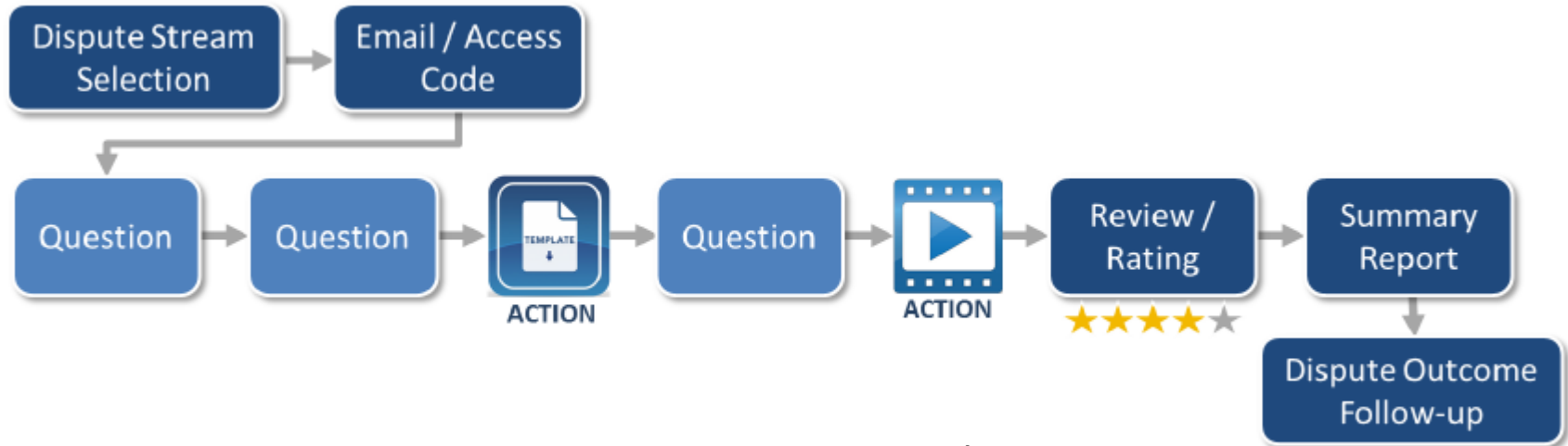


CRT Overview

Dispute volumes



Solution Explorer

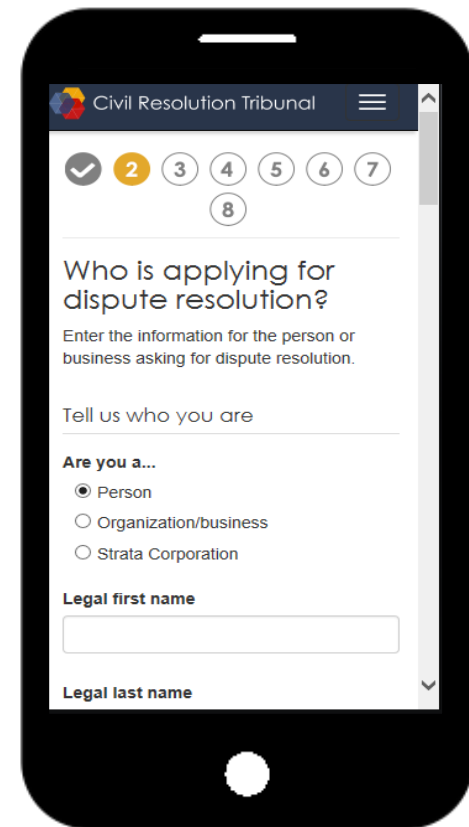
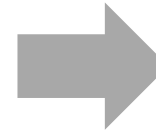


- Free public information, available 24/7
- Guided pathways
- Interactive question and answers
- Tools, templates, resources
- Resolution or preparation for CRT process
- Ongoing improvements & add small claims content

CRT Technology Demo



Solution Explorer



CRT Dispute Application



Getting Started

How the CRT works

RECENT POSTS

Early days of early intake at CRT

Posted on [July 21, 2016](#)

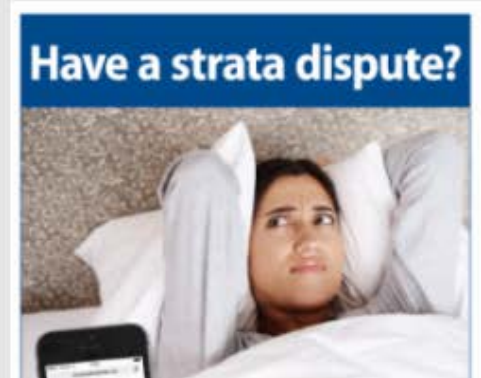


By Richard Rogers Early intake has started for the CRT! On July 13 we accepted our first strata (condominium) claims. Some applications for CRT dispute resolution came in on the very first day. If you want to learn more about ... [Continue reading](#) →

What is early intake for strata?



Print a CRT Poster



Civil Disputes

Solutions for Strata Owners, Tenants and Occupants

[Quit](#)[Save and exit](#)

Your Exploration Information

 18%

Access code: **9aahv4Q69** [Email](#) [Print](#)

Information You Provided

1. I've used the Solution Explorer before

Resources

- [PDF: Before You Start Your Exploration](#)



help

What can we help you explore?

- The strata asked me to do something
- The strata asked me to pay money, or I'm disputing an amount I paid
- The strata won't give me permission for something
- I want the strata to do something
- A neighbour asked me to do something
- I want a neighbour to do something
- The strata isn't complying with something
- I have an issue related to a breach of privacy
- I have an issue with a depreciation report

Not finding an option you were expecting? Help us improve our site and [tell us what's missing](#).

[Back](#)[Next](#)

Civil Disputes

Solutions for Strata Owners, Tenants and Occupants

[Quit](#)[Save and exit](#)

Suggested Resource

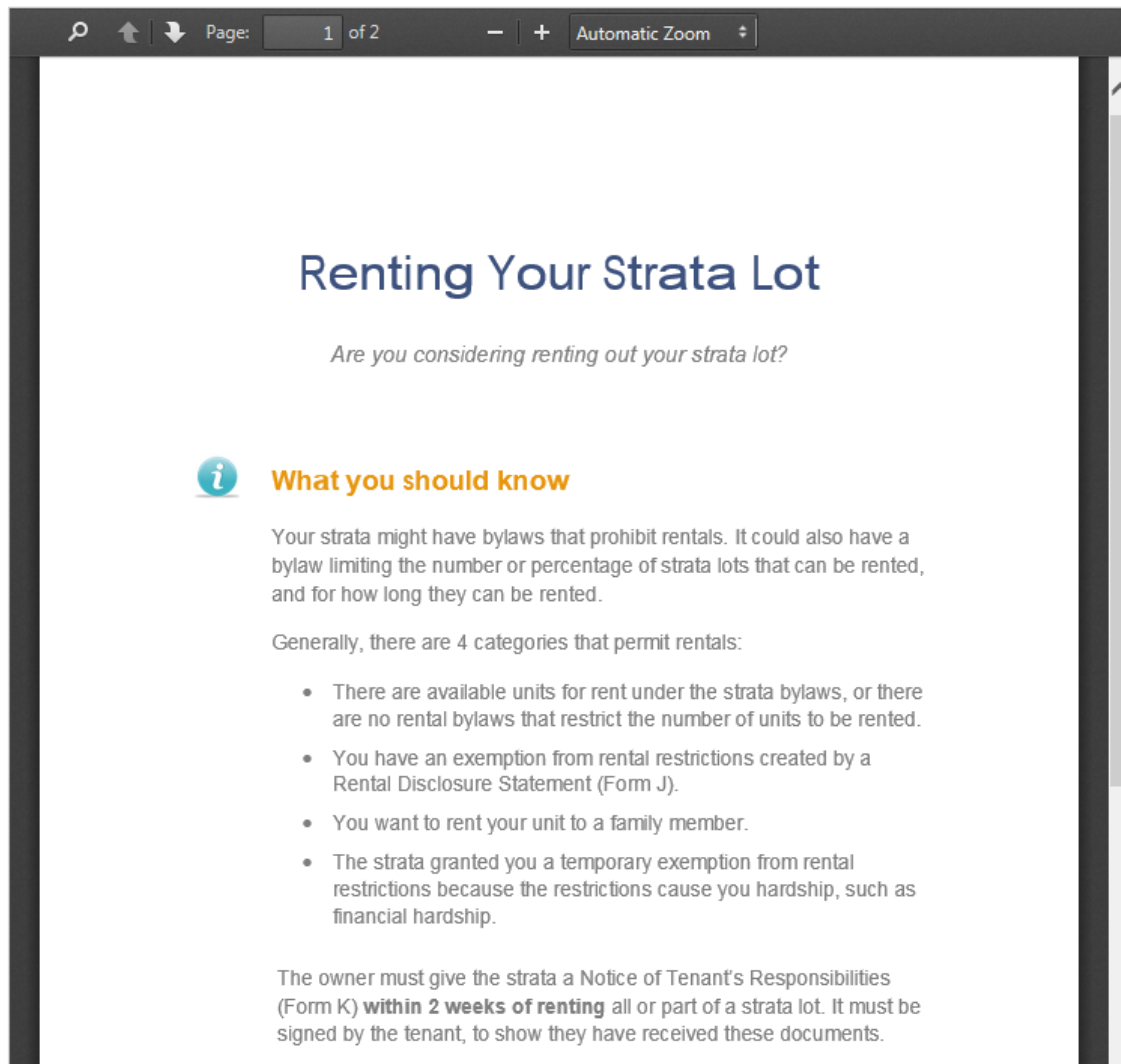
Rate this 

PDF: Renting Your Strata Lot

Are you considering renting out your strata lot?

Your strata might have bylaws that prohibit rentals. It could also have a bylaw limiting the number or percentage of strata lots that can be rented, and for how long they can be rented.

 Email  Print

[← Back](#)[× Not helpful](#)[Next →](#)

The screenshot shows a PDF viewer interface. At the top, there is a navigation bar with a search icon, up/down arrows, 'Page: 1 of 2', zoom in (+) and zoom out (-) buttons, and 'Automatic Zoom'. The main content area displays the title 'Renting Your Strata Lot' in a large blue font, followed by the question 'Are you considering renting out your strata lot?' in a smaller blue font. Below this is an information icon (i) and the section header 'What you should know'. The text explains that strata bylaws may prohibit rentals or limit the number/percentage of units. It lists four categories that permit rentals: 1) available units under bylaws, 2) exemption from rental restrictions (Form J), 3) rental to a family member, and 4) temporary exemption due to financial hardship. The document concludes by stating that the owner must provide a Notice of Tenant's Responsibilities (Form K) within 2 weeks of renting, signed by the tenant.

Renting Your Strata Lot

Are you considering renting out your strata lot?



What you should know

Your strata might have bylaws that prohibit rentals. It could also have a bylaw limiting the number or percentage of strata lots that can be rented, and for how long they can be rented.

Generally, there are 4 categories that permit rentals:

- There are available units for rent under the strata bylaws, or there are no rental bylaws that restrict the number of units to be rented.
- You have an exemption from rental restrictions created by a Rental Disclosure Statement (Form J).
- You want to rent your unit to a family member.
- The strata granted you a temporary exemption from rental restrictions because the restrictions cause you hardship, such as financial hardship.

The owner must give the strata a Notice of Tenant's Responsibilities (Form K) **within 2 weeks of renting** all or part of a strata lot. It must be signed by the tenant, to show they have received these documents.

Civil Disputes

Strata Owners, Tenants and Occupants

[Find alternatives](#)[Quit](#)[Save and exit](#)

Your Exploration Information

 50%Access code: **TTbrQmGzk** [Email](#) [Print](#)

Information You Provided

1. The strata won't give me permission for something
2. Renting my strata lot
3. My rental fits one of the 4 rental categories

Resources

- > [PDF: How to Find Strata Documents and Records](#)
- > [PDF: Renting Your Strata Lot](#)

Which category does your rental fit in?



- There are available units for rent under the strata bylaws or there are no rental bylaws that restrict the number of units to be rented
- Exemption created by a Rental Disclosure Statement (Form J)
- Family exemption
- Hardship exemption

Not finding an option you were expecting? Help us improve our site and [tell us what's missing](#).

[← Back](#) [Next →](#)

Create a document



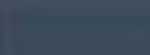
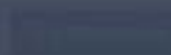
Add information



Format document



Save



Your information has been added. You may now edit and format the document - or continue to the next step to save your document.

[Date]

Dear Strata Council,

RE: Request for hearing

In accordance with the requirements of the *Strata Property Act*, please accept this letter as [my/our] application for a hearing with strata council. I understand that the *Act* provides for a hearing as an opportunity to be heard in person at a council meeting and that council must hold a hearing within four weeks of receiving this request.

The reason for my request is to [describe your reason for asking for the hearing].

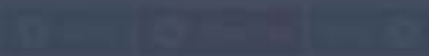
Please contact me at [enter your preferred contact method and information] by [date by which you want the recipient to respond] to discuss a resolution to this problem.

Thank you for taking the time to read this letter.

Continue to step 3



[Close document](#)



Civil Disputes

Solutions for Strata Owners, Tenants and Occupants

[Start a new exploration](#)[Quit](#)[Save and exit](#)

Summary Report

[Email](#) [Print](#)Rate this report 

Your Summary Report gives you information and tools that may help you resolve your problem. Remember that a limitation period may apply. It could run out if you wait too long to take action.

To return to this report:

Your access code is: **9aahv4Q69**

Access expires in 32 days on **April 23, 2016**

Issues

Your exploration found 1 issue(s). If you have more than one issue, you can use the tabs to switch between them.

Issue 1

Strata - not giving me permission - rent my strata lot - family exemption



Expert Summary

Based on what you told us, you are an owner in a strata. The strata didn't give you permission to rent your strata lot. But you believe your rental request qualifies as a family exemption.

You also told us you had a hearing with the strata about this issue, but they didn't give you a written decision after the hearing.

You have the option to contact the strata to ask for a written version of what was decided at the hearing.

Use the letter template **Request for a Decision from a Hearing** in the Resource section below. Deliver the letter to the strata using the proper methods as described in **Delivering a Letter or Notice to the Strata**.

Resource

> [PDF: Before You Start Your Exploration](#)

Your Application
Case: a0636000001iNWrAAM

Who is applying for dispute resolution?

Enter the information for the person or business asking for dispute resolution.

Tell us who you are

- 1 **Applicant**
- 2 Representative
- 3 Respondent
- 4 Dispute
- 5 Evidence
- 6 Application Details
- 7 Review & Pay

Are you a... Person Organization/business

Legal first name

Legal last name

List other names you go by (optional)

Mailing address

Address Line 1

Street address, P.O box, c/o, etc

Address line 2 (optional)

Apartment, suite, unit, building, floor

Additional applicant information

We're asking in case the tribunal can take steps to serve them better.

Do you have any of the following that may require a special accommodation?

Difficulty reading and writing

English speaking difficulty

Visual impairment

Hearing impairment

Mental health issues

Other:

Do you have a committee of estate, a representative appointed in a representation agreement, or an attorney appointed in an enduring power of attorney?

No

Yes

Are you under 19 years old?

No

Yes

[Continue to next step >](#)

or

[+ Add another applicant](#)



Your Application

Case: a06360000045wX8AAK

- ✓ [Strata](#)
- ✓ [Applicant](#)
- ✓ [Representative](#)
- ✓ [Respondent](#)
- 5** **Dispute**
- 6 Evidence
- 7 Application Details
- 8 Review & Pay

What happened?

A one sentence summary of the claim

Description

Provide enough detail to let the respondent and tribunal know what your claim is about. You don't need to include every detail here. You'll be able to add more later.

Max 5000 characters

When did you become aware of the issue?

Enter the approximate month and year.

Max 1000 characters

What have you done so far to try to resolve this?

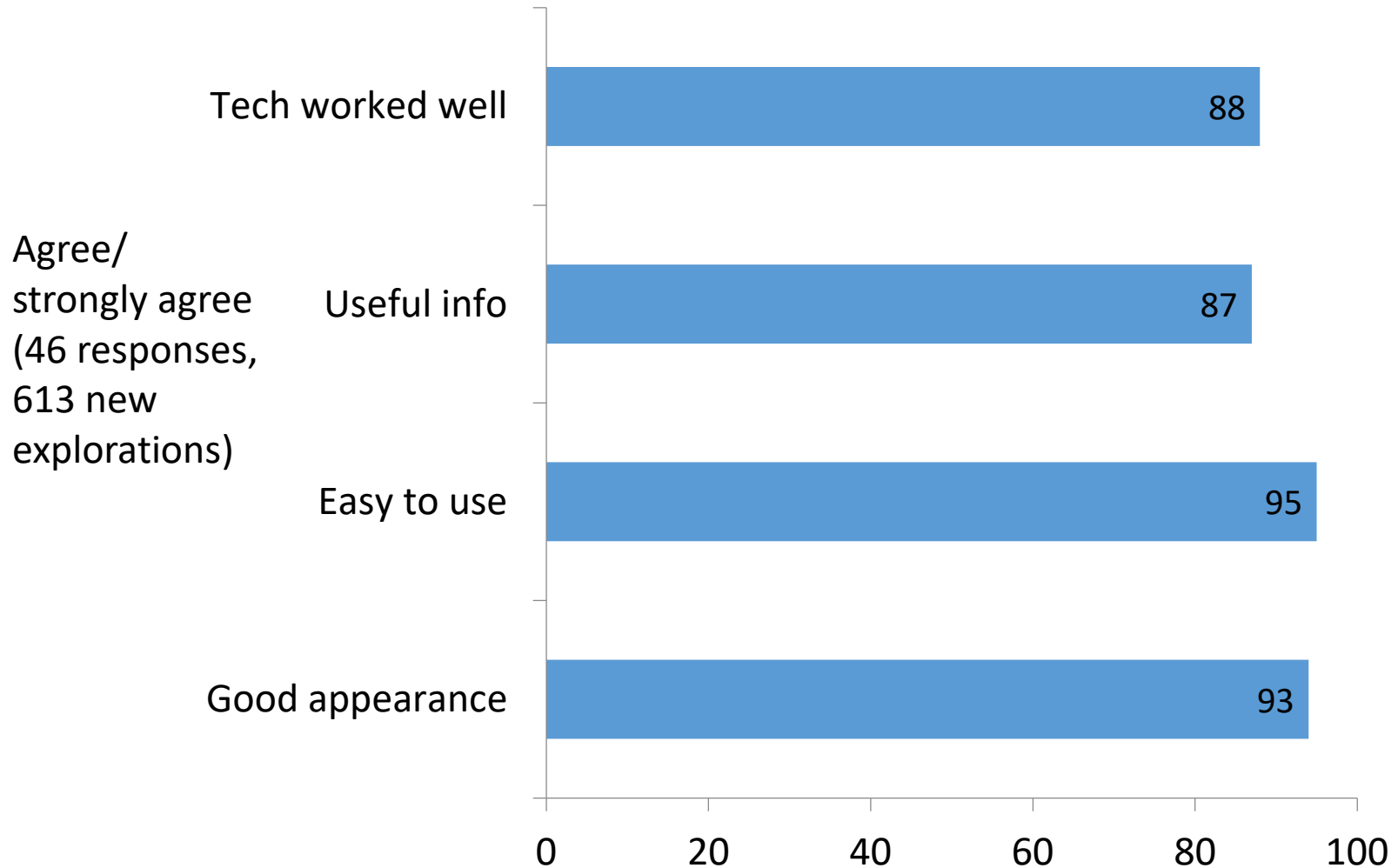
Max 1000 characters

Why is resolving this claim important to you? (optional)

6. I want to write a letter

[view less](#)

Solution Explorer Public Beta June 17 – July 5, 2016



Negotiation

- Connects parties to encourage negotiated settlement
 - Zero to nominal cost
- Low intervention
 - Tools & support
 - Avoid more time/money on dispute



Facilitation

- Dispute resolution expert helps reach agreement
- Very flexible :
 - Asynchronous or synchronous
 - Resolve some or all of disputes
 - Can decide dispute with consent



Facilitation

If agreement

- Quick order from tribunal member
- Enforceable in court

If no agreement

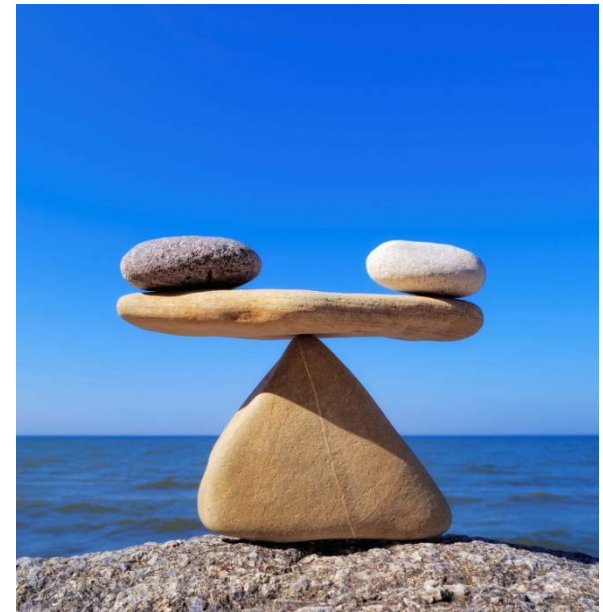
- Adjudication support
- Help narrow issues, organize claims

Enhances access to justice

- Avoids duplication and delays

Adjudication

- Mostly **part-time tribunal members**
 - Lawyers with subject expertise
 - Located all over province
- Usually **written hearings**
 - Some telephone/video hearings
- Plain language written **reasons**
- Decisions enforceable as **court orders**
- **Published** decisions



Continuous Improvement



Where are we going?

Summer 2016

- Early intake for **strata claims**
- Solution Explorer strata beta
- Rules & fees
- Hiring and member training

Fall/Winter 2016

- **Strata claims** fully implemented
- Solution Explorer small claims beta testing
- Technology development

Early 2017

- Early intake for **small claims**
- Key performance indicators and evaluation

CRT

More Information

The screenshot shows the homepage of the Civil Resolution Tribunal. At the top left is the logo, a colorful hexagon composed of smaller hexagons in shades of blue, yellow, and red. To its right is the text "Civil Resolution Tribunal". Further right is a search bar with a magnifying glass icon and the word "Search". Below the header is a navigation menu with four items: "How the CRT works", "About The CRT", "What's New", and "Contact Us". The main content area is divided into two columns. The left column features two large buttons: a teal one labeled "Getting Started" and a dark blue one labeled "How the CRT works". Below these is a section titled "RECENT POSTS" with a post titled "Early days of early intake at CRT" dated "July 21, 2016". The post includes a photo of a man in a suit and a text snippet starting with "By Richard Rogers Early intake has started for the CRT! On July 13 we accepted our first strata (condominium) claims. Some applications for CRT dispute resolution came in on the very first day. If you want to learn more about ... Continue reading →". The right column contains two smaller boxes. The top one is titled "What is early intake for strata?" and features a "Click Here" button over a cityscape image. The bottom one is titled "Print a CRT Poster" and features a poster with the text "Have a strata dispute?" and an image of a woman looking thoughtful.

Email: Shannon.salter@crtbc.ca

Twitter: [@shannonnsalter](https://twitter.com/shannonnsalter)

www.civilresolutionbc.ca