What is the CRT?

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

<table>
<thead>
<tr>
<th>Small Claims</th>
<th>Strata</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Appeal to Provincial Court</td>
<td>• Appeal to BC Supreme Court</td>
</tr>
<tr>
<td>• Basically <em>trial de novo</em></td>
<td>• Leave required</td>
</tr>
<tr>
<td>• Cost/deposit consequences</td>
<td>• Question of law</td>
</tr>
</tbody>
</table>
Online Civil Justice Services
Survey 2015

British Columbians are online

92% use the internet daily
another 5% use it weekly

Daily | Weekly | Less than weekly | Not at all

Civil Resolution Tribunal
Online Civil Justice Services
Survey 2015

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

**Timely**
- Focus on early resolution
- 60-90 day process

**Flexible**
- Range of ADR options
- Continuous improvement

**Accessible**
- 24/7
- Anywhere
- Legal information and support

**Affordable**
- Staged fees
- Usually no travel/legal costs
- Fee exemptions

**Efficient**
- Active case management
- Tailored timelines and processes
- Avoid duplication
CRT Overview

Dispute volumes

- Information, problem diagnosis, self-help
- Party to party negotiation
- Case Management: facilitated ADR & hearing preparation
- Adjudication
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
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 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.
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.
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.
[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.
Civil Disputes
Solutions for Strata Owners, Tenants and Occupants

Summary 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: 9aa4Q69
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

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
Who is applying for dispute resolution?

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

Tell us who you are

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: [Enter]

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]
What happened?

A one sentence summary of the claim

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.

When did you become aware of the issue?

Enter the approximate month and year.

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

Why is resolving this claim important to you? (optional)
Solution Explorer Public Beta
June 17 - July 5, 2016

Agree/strongly agree (46 responses, 613 new explorations)

Tech worked well
- 88%

Useful info
- 87%

Easy to use
- 95%

Good appearance
- 93%
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

1. Ask for feedback/advice
2. LISTEN
3. Incorporate feedback
4. Improve

Process:
- Ask for feedback/advice
- LISTEN
- Incorporate feedback
- Improve
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

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