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Ministry of Justice

Civil Resolution Tribunal Act

British Columbia's new Civil Resolution Tribunal Act received Royal Assent May 31, 2012. The act establishes a new dispute resolution and adjudicative body, the Civil Resolution Tribunal, which has authority to hear some strata property disputes and, where the parties agree, small claims matters.

It is anticipated the Civil Resolution Tribunal Act will come fully into force and the tribunal will begin operations at the end of 2013 or early in 2014.

The new Civil Resolution Tribunal will provide an alternative to the traditional dispute resolution services of the B.C. Provincial Court's small claims division. The tribunal will be structured to encourage people to use a broad range of non-litigation based dispute resolution tools to resolve their disputes as early as possible, while still preserving adjudication as a valued last resort. It is intended, as with the recently enacted [Family Law Act](#), to encourage a collaborative, problem-solving approach to dispute resolution, rather than the traditional adversarial litigation model.

The Civil Resolution Tribunal will draw on proven technology and combine it with the flexibility, case management and dispute resolution strengths demonstrated by British Columbia's administrative justice system.

Jurisdiction

The act provides the Civil Resolution Tribunal authority to handle:

- small claims disputes where the parties decide to take the matter to the tribunal instead of the court, up to a maximum value of \$25,000 for:
 - debt or damages;
 - recovery of personal property;
 - specific performance of an agreement relating to personal property or services; or
 - relief from opposing claims to personal property.
- strata disputes between owners of strata properties and strata corporations for a wide variety of matters such as:
 - non-payment of monthly strata fees or fines;
 - unfair actions by the strata corporation or by people owning more than half of the strata lots in a complex;

- uneven, arbitrary or non-enforcement of strata bylaws (such as noise, pets, parking, rentals);
- issues of financial responsibility for repairs and the choice of bids for services;
- irregularities in the conduct of meetings, voting, minutes or other matters;
- interpretation of the legislation, regulations or bylaws; and
- issues regarding the common property.

The tribunal will not decide tribunal matters that affect land, such as:

- ordering the sale of a strata lot;
- court orders respecting rebuilding damaged real property;
- dealing with developers and phased strata plans;
- determining each owners' per cent share in the strata complex (the "Schedule of Unit Entitlement").

Such matters will continue to be heard in the Supreme Court, as will the following matters relating to significant matters in a strata complex:

- appointment of an administrator to run the strata corporation;
- orders vesting authority in a liquidator;
- applications to wind up a strata corporation;
- allegations of conflicts of interest by council members; or
- appointment of voters when there is no person to vote in respect of a strata lot.

How the Civil Resolution Tribunal Will Work

The Civil Resolution Tribunal will offer services designed to encourage early resolution of disputes, using the minimum level of tribunal resources necessary to do so. Where formal adjudication of a dispute is required, the tribunal will actively case manage the dispute so that the adjudication is conducted quickly and efficiently. In all cases, the level of resources applied to a dispute will be proportionate to the nature of the dispute and the issues involved.

This [document](#) outlines the proposed business model.

For more information:

News release and backgrounder [[here](#)]

[Bill 44 Civil Resolution Tribunal Act](#) (third reading)

Information for strata property owners [[here](#)]

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