



# Civil Resolution Tribunal

## **CRT Introduction**

Shannon Salter, Chair  
November 15, 2016

# What is the CRT?



Part of the justice  
system

1<sup>st</sup> 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

# Strata Jurisdiction

## No \$ Limit

- i.e. payment of a \$50,000 special levy or insurance deductible

## Bylaws & Rules

- Are they enforced properly and fairly?
- Consistent with legislation?
- i.e. election signage

## Start claim without $\frac{3}{4}$ vote

- Strata council can start CRT claim on own motion

## Injunctive-type relief

- Orders to do or stop doing something
- i.e. hardship, pay fines/fees, comply with bylaws, convene meetings

# 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

# 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





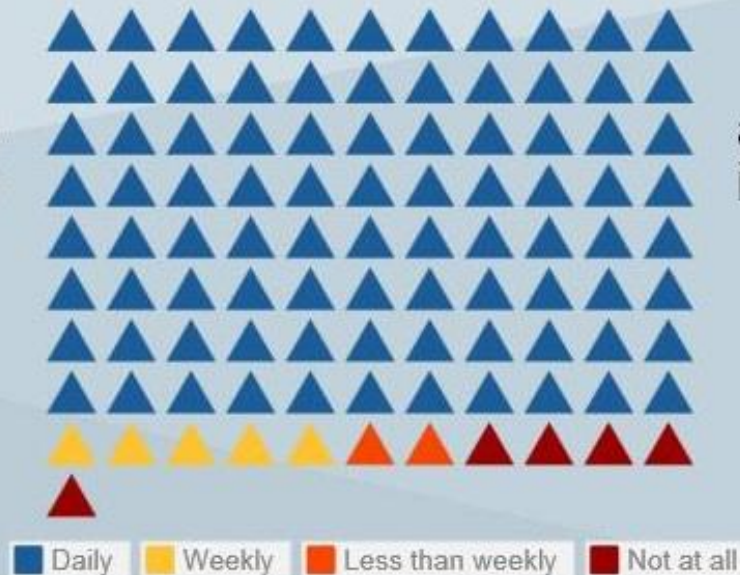
# Online Civil Justice Services

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

British Columbians want to participate in their civil justice process and shape resolutions

*82% want party to party participation*

*94% want a say in shaping their resolution*

*87% want to DIY without full legal representation*



Civil Resolution  
Tribunal



0 10 20 30 40 50 60 70 80 90 100

%

# Online Civil Justice Services

Survey 2015

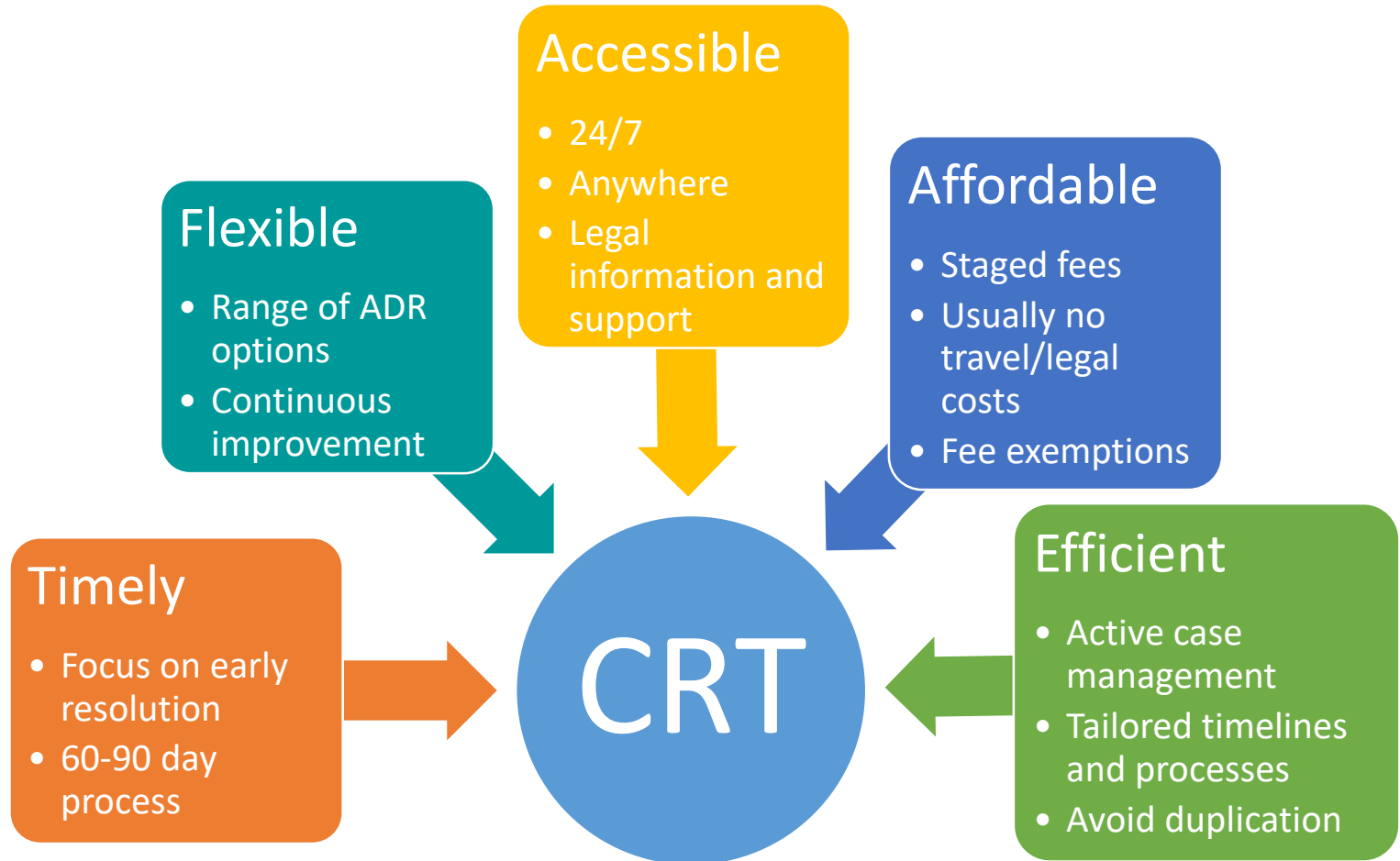


Civil Resolution  
Tribunal

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

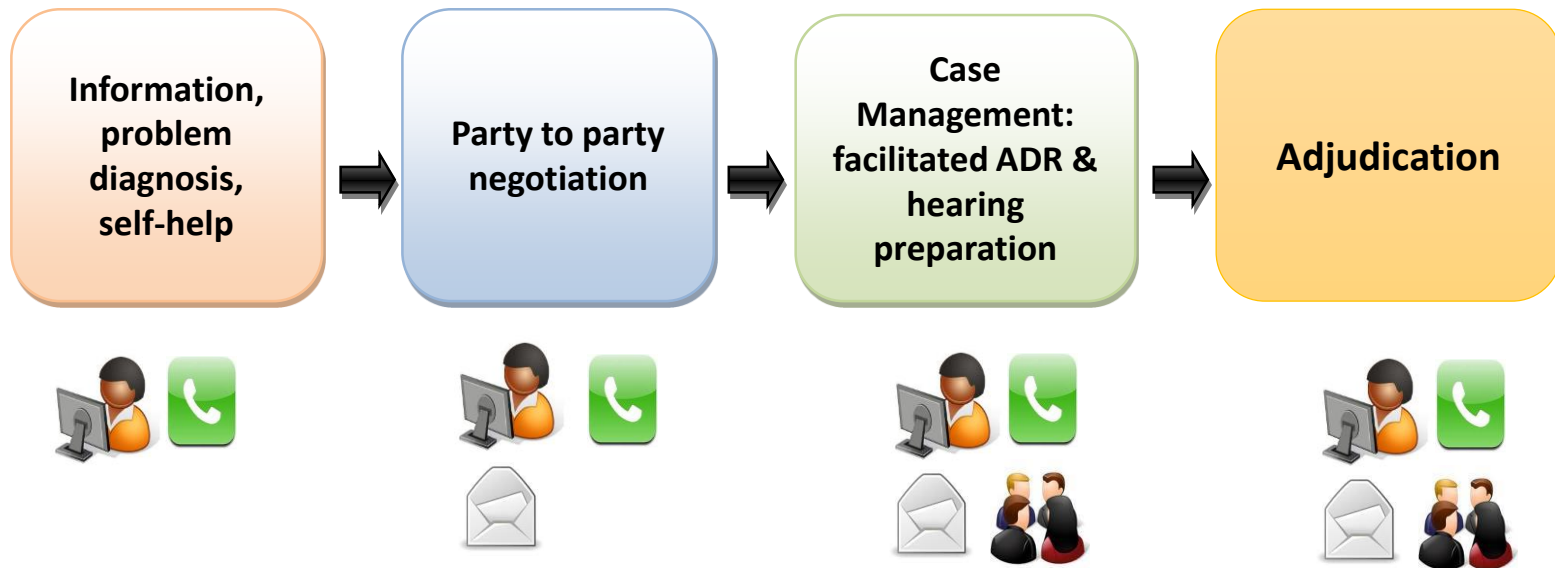


# Guiding Principles

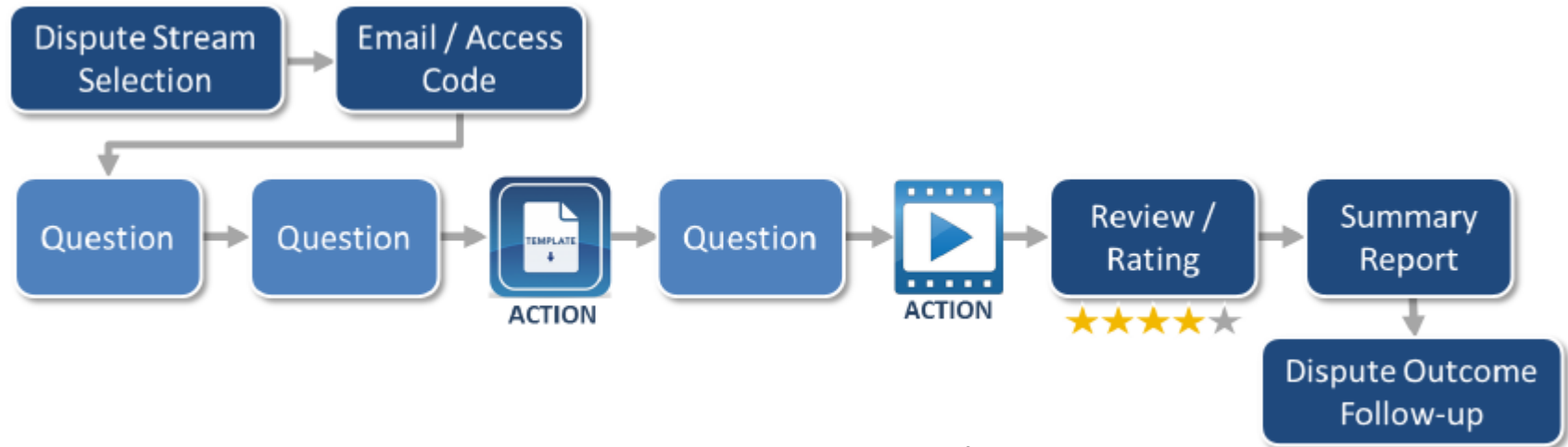


# CRT Overview

**Dispute volumes**



# Solution Explorer

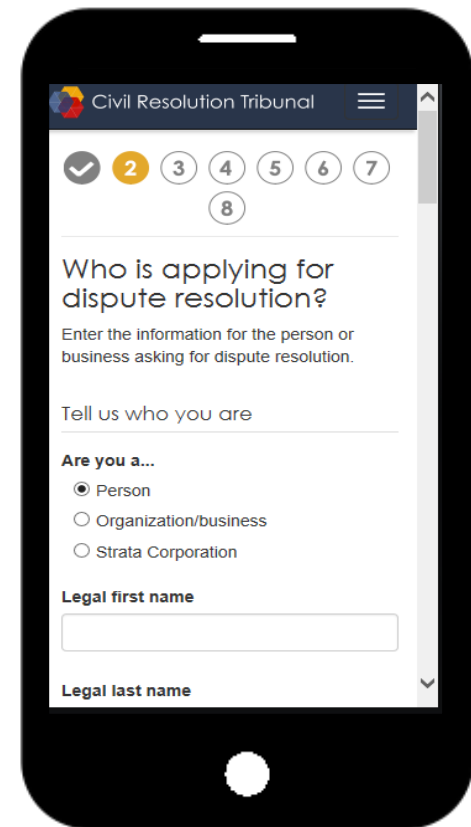
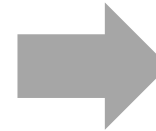


- Free public information, available 24/7
- Guided pathways
- Interactive question and answers
- Tools, templates, resources
- Resolution or preparation for CRT process
- Ongoing improvements & add small claims content

# 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](#)

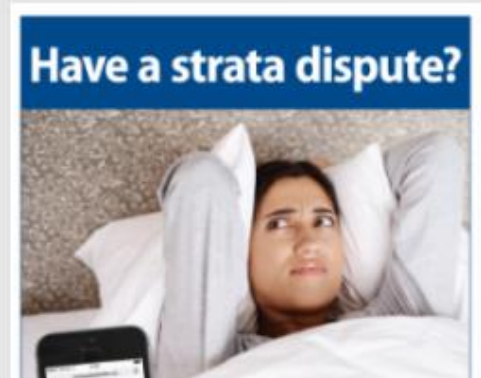


By Richard Rogers Early intake has started for the CRT! On July 13 we accepted our first strata (condominium) claims. Some applications for CRT dispute resolution came in on the very first day. If you want to learn more about ... [Continue reading →](#)

### 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](#)



## 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

&lt; Back

✖ Not helpful

Next &gt;



Page: 1 of 2



Automatic Zoom



## 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.

Styles -Format -Size -B IA -Background colorZoom

[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: a0636000001iNWnAAM

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

## 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:

**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.

6. I want to write a letter

[view less](#)

#### When did you become aware of the issue?

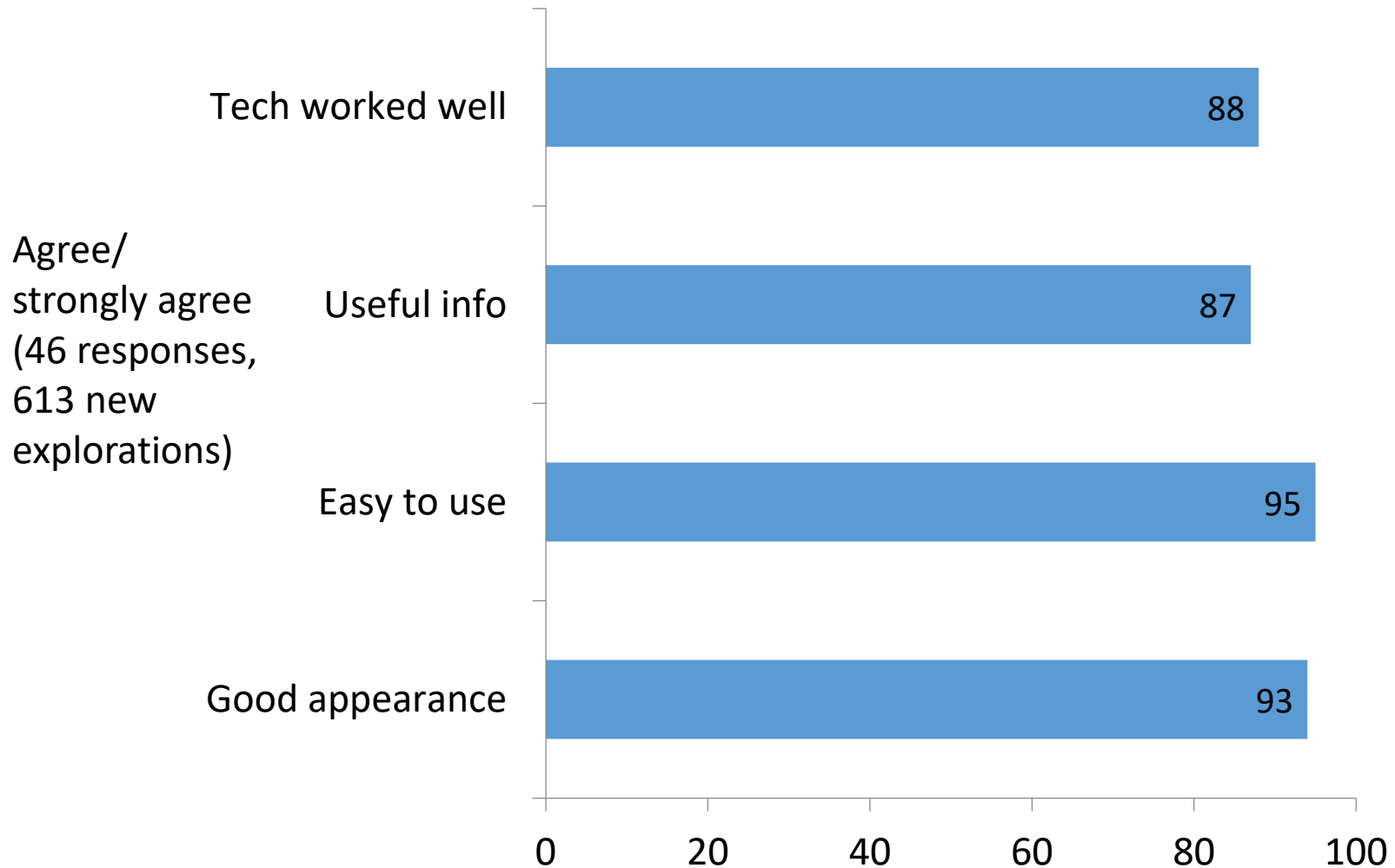
Enter the approximate month and year.

#### 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



# 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

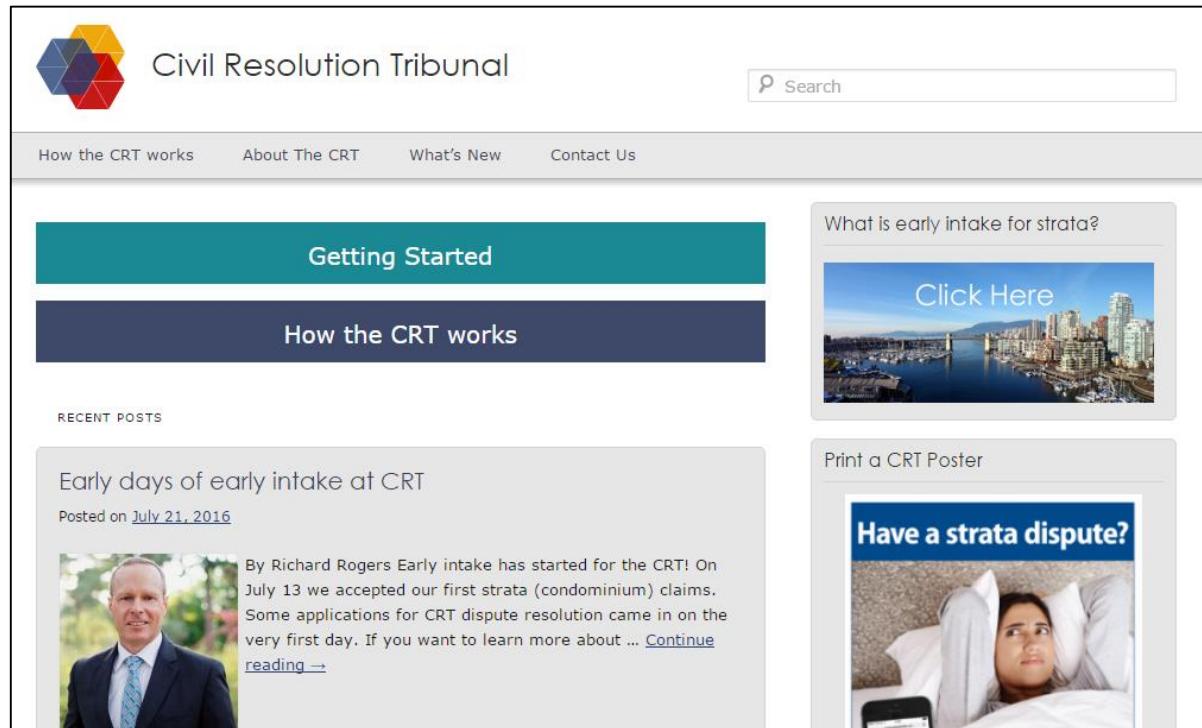
- **Strata claims** fully implemented
- Solution Explorer small claims beta testing
- Technology development

## Early 2017

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

CRT

# More Information



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[www.civilresolutionbc.ca](http://www.civilresolutionbc.ca)