

Application to Director

The Residential Tenancies Act:

- allows landlords and tenants to seek the resolution of disagreements with assistance from a Residential Tenancy Officer. To have a disagreement resolved, one or both parties must complete an Application to the Director and pay the application fee.

Reference:

Residential Tenancies Act: Sections 13, 15

Details:

Where a party applies to the Director to solve a dispute, by using the prescribed Application to Director form and paying the fee set down by the regulations, the Director will begin the resolution process. Applications can be commenced not more than one year after the termination of the tenancy.

Procedure:

The Application to Director is the document which starts the mediation/decision making process. The filing fee is \$27.21 and is payable in cash or cheque/money order to the Minister of Finance. The fee is non-refundable.

In all cases, landlords and tenants are encouraged to attempt resolution of any disagreements between themselves. If this procedure is unsuccessful, then:

- either party can make an Application to the Director asking for a resolution of the disagreement;
- a single appointment will be scheduled to carry out mediation and/or adjudication;
- the applying party must serve the other party with a copy of the application that includes the date of the hearing;
- the Officer will first attempt to reach an agreement between the two parties (mediate) and failing that, hold a hearing, to determine the facts and then issue an order;
- parties may participate personally or be represented by legal counsel or personal representative;
- the Application to the Director may be amended by the applicant.