

# Dispute Resolution – During and After a Hearing



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## Joining the Hearing

Hearings take place on the phone, unless otherwise requested.

**You will not be called - you have to call in yourself!**

Look for the dial-in number on the Notice of Dispute Resolution Proceeding Package.

Hearings typically last an hour but can sometimes be extended or “adjourned,” meaning paused, and continued at a later date.



An **arbitrator** is a decision-maker, similar to a judge. They are employed by the Residential Tenancy Branch (RTB) to conduct hearings and make binding decisions on legal disputes between landlords and tenants.

## General Structure of the Hearing<sup>1</sup>

1. The arbitrator introduces themselves and asks the tenant, landlord, and any witnesses to introduce themselves.
2. The arbitrator considers procedural issues, like whether documents were served correctly and on time.
3. The landlord and tenant present their evidence and explain how the law applies to their issues.
4. The arbitrator might ask the tenant, landlord, and their witnesses questions. Both the landlord and tenant can then ask the arbitrator for permission to question each other or the witnesses.
5. Once the landlord and tenant have presented their evidence and arguments, the hearing concludes.
6. The arbitrator typically provides a decision in writing within 30 days.

### When presenting evidence:

- **Refer directly to your evidence** by mentioning specific page numbers or file names. An arbitrator does **not** need to consider evidence if you do not refer them to it during a hearing, even if it is included in your evidence package.
- **Do not assume the arbitrator is an expert** on everything. Walk them through your evidence and explain how it supports the claims you are trying to prove.
- **Don't rush!** Give the arbitrator time to take notes and absorb what you are saying.
- If you're questioning a witness, **prepare open-ended questions beforehand** that will prompt facts that support your case.





Tenants are entitled to procedural fairness, meaning they have the right to be heard.<sup>2</sup>

If the arbitrator has not given you a fair chance to speak or present all your evidence, it's important to tell them you have more to say. You can ask for the hearing to be "adjourned" — paused and continued at a later date.

### RTB Facilitated Settlement

In some cases, the RTB will try to help you and your landlord negotiate a legally binding settlement instead of holding a full hearing.

Don't feel pressured to say yes to a settlement! If you and your landlord can't come to an agreement, you'll still get the chance to have a hearing.

## What to do if you disagree with a decision

**Be prepared! Arbitrators' approaches to decision-making can vary.**

You can challenge an RTB decision by:

1. Submitting form RTB-6 "Request for Correction" or RTB-38 "Request for Clarification"

↳ If the RTB decision isn't clear or contains a mistake, you can submit the RTB form within **15 days** of receiving the decision.

2. Applying for Review Consideration at the RTB

↳ Only if your reason for review is listed in Section 79 of the Residential Tenancy Act (RTA).

There are different deadlines to apply for RTB Review Consideration depending on the circumstances listed in Section 79 of the RTA. For example, if you lose an eviction hearing, you have **2 days** to apply.<sup>3</sup>

3. Applying for Judicial Review at the BC Supreme Court

↳ If a decision is "patently unreasonable" or violates your right to procedural fairness, you can apply for Judicial Review within **60 days** of receiving the decision.<sup>4</sup>



If you plan to apply for Judicial Review – **contact TRAC's Housing Law Clinic** at 604-255-3099 (press 5) or visit our drop-in centre to learn more.

TRAC receives ongoing support from:

English



Department of Justice  
Canada

Ministère de la Justice  
Canada

This is general information that applies to British Columbia, Canada. TRAC cannot guarantee that it is current or complete. This fact sheet is not meant as legal advice for specific legal problems. Use at your own risk and consult a lawyer if you need legal advice. V1 July, 2025.

### For More Information

- 1 See the RTB Rules of Procedure for more information on the dispute resolution process.
- 2 See TRAC's webpage "Participating in a Hearing" for information on procedural fairness.
- 3 See Section 80 of the RTA for the different deadlines.
- 4 To learn more about the Judicial review process, visit [judicialreviewbc.ca](http://judicialreviewbc.ca).