

Quick Reference: Tenancy Dispute Resolution Options



In Alberta, landlords and tenants have different options to resolve their tenancy disputes. The following chart provides basic information on various dispute resolutions options, as well as a list of resources for getting legal advice.

| | Mediation | Residential Tenancy Dispute Resolution Service (RTDRS) | Provincial Court (Civil) | Court of Queen's Bench |
|-----------------------------------|--|--|---|---|
| What is it? | Mediation is a process where parties discuss problems and try to reach a solution with the help of a mediator. | The RTDRS is an alternative to going to Court. The service is generally faster, more informal and less expensive than the courts. | The Provincial Court (Civil) is designed for Albertans to handle their legal disputes without the need to hire a lawyer. The Provincial Court can hear claims up to \$50,000. | This is the superior court in Alberta. It is usually used to appeal decisions by the RTDRS or Provincial Court. While landlords and tenants can use this court for disputes, it is more common for applications to be heard in the RTDRS or the Provincial Court. |
| Where are these services offered? | If you are a party with a civil claim in Provincial Court, the Court may offer mediation through their Civil Claims Mediation Program. | There are two RTDRS locations in Alberta; one in Calgary and one in Edmonton. Outside of Edmonton and Calgary, hearings are held by phone. | The Provincial Court has over 70 courthouses in Alberta where common court services are offered. | The Court of Queen's Bench has 11 locations in Alberta where common court services are offered. |

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|--|--|--|--|--|
| How much does it cost to pursue this option? | The Provincial Court Civil Claims Mediation Program is free to the parties but lawyer fees and agent fees are the responsibility of the parties. | There is an application fee of \$75. There may be additional costs associated with filing a RTDRS application. For example, lawyer fees and agent fees, witness fees, travel costs, photocopy fees, etc. | For claims of \$7,500 or less, there is a \$100 Civil Claim filing fee. For claims of \$7,500 or more, there is a \$200 Civil Claim filing fee. There may be additional costs with filing a Court application. For example, lawyer fees and agent fees, witness fees, travel costs, photocopy fees, etc. | For appealing a Provincial Court (Civil) decision, there is a \$250 filing fee. For filing a statement of claim, there is a \$250 filing fee. There may be additional costs with filing a Court application. Generally, this is an expensive process and procedures are more complex. You should seek legal advice if you plan to make an application in the Court of Queen's Bench. |
| How do you file an application? | Processes to start mediation vary. Check with the Provincial Court (Civil). | Applications can be filed in person at RTDRS offices (in Edmonton or Calgary) or on-line through the RTDRS e-filing service. | Applications can be filed at a local Provincial Court location. Resolution and Court Administration Services (RCAS) can assist with court forms and filing. | Applications can be filed at a local Court of Queen's Bench location. Resolution and Court Administration Services (RCAS) can assist with court forms and filing. |
| Who hears the application? | A mediator helps the parties explore your problems and potential solutions. | Heard by a Tenancy Dispute Officer in person (Edmonton and Calgary) at a RTDRS office. Hearings outside these two cities are held by phone with a Dispute Officer. | Heard by a Judge in court. | Depending on the matter, may be heard by a Masters in chambers or Justice in court. In the Court of Queen's Bench, Masters have limited power to hear matters, while Justices have wide authority to make decisions. |

TIP

Filing fees may be waived for applications filed at the RTDRS, Provincial Court or Court of Queen's Bench in certain circumstances. For more information, refer to the following resources:

www.alberta.ca/rtdrs-apply.aspx#financial-assistance (RTDRS)

www.alberta.ca/waive-filing-fee.aspx (Provincial Court and Court of Queen's Bench)

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|------------------------------------|---|---|---|------------------------|
| Where can I find more information? | <p>Provincial Court Civil Claims Mediation Program albertacourts.ca/provincial-court/civil-small-claims-court/mediation</p> | <p>RTDRS Edmonton: 780.644.3000</p> <p>Outside of Edmonton: (toll-free) 310.0000 then 780.644.3000</p> <p>www.servicealberta.ca/rtdrs</p> | <p>Provincial Court (Civil) albertacourts.ca/pc</p> <p>Court of Queen's Bench albertacourts.ca/qb/home</p> <p>RCAS Contact Centre RCAS is a group of programs and services offered by the Government of Alberta in collaboration with the courts of Alberta. It provides administrative support to the courts. 1.855.738.4747</p> <p>For more information and suggested resources on courts/court services, refer to CPLEA's resources:</p> <p>www.lawcentralalberta.ca/en/civil-law-resources-self-represented-litigants</p> <p>www.law-faqs.org/alberta-faqs/courts-and-court-services/pre-trial-applications/</p> | |

Where can I get legal advice?

Lawyer Referral Service

The Lawyer Referral Service through the Law Society of Alberta can provide you with the names of three lawyers who might be able to help. The first 30 minute initial consultation is free. After the initial consultation, lawyers through this service usually charge for their services.

Call 1.800.661.1095 for more information.

Legal Clinics

Legal advice may be available free of charge to people who meet income guidelines from a student legal service:

Student Legal Services
 University of Alberta
 780.492.2226

Student Legal Assistance
 University of Calgary
 403.220.6637

Free legal information and advice may also be available for individuals with low incomes from these organizations:

Calgary Legal Guidance

Calgary
403.234.9266

Grande Prairie Legal Guidance

Grande Prairie
780.882.0036

Central Alberta Community Legal Clinic

Red Deer
403.314.9129

Lethbridge Legal Guidance

Lethbridge
403.380.6338

Edmonton Community Legal Centre

Edmonton
780.702.1725

Court based programs

If you are living in Edmonton or Calgary, try Civil Claims Duty Counsel or the Queen's Bench Court Assistance Program operating out of the Edmonton Law Courts and Calgary Courts Centre. Volunteer lawyers through these programs provide free legal advice and information on court procedures on certain days of the week. You can find out more here:

Civil Claims Duty Counsel at the Provincial Court

Edmonton
<http://www.pbla.ca/resourcebank/attachment.275137>

Queen's Bench Court Assistance Program

Edmonton
<http://www.pbla.ca/resourcebank/attachment.275133>

Civil Claims Duty Counsel at the Provincial Court

Calgary
<http://www.pbla.ca/resourcebank/attachment.275136>

Queen's Bench Court Assistance Program

Calgary
<http://www.pbla.ca/resourcebank/attachment.275132>

CPLEA Laws for Landlords and Tenants Program
General information on landlord and tenant law in Alberta.
www.landlordandtenant.org

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LAWS FOR
**LANDLORDS
AND TENANTS**
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