



Advance Resolution Request

(Disponible en français)

In order to expeditiously resolve matters that are not complex, parties may file an Advance Resolution Request with the Board. In some cases that may result in an application being resolved without a hearing. Only the Applicant of the case, or their Representative, may file this request with the Board.

Types of Early Resolution

Withdrawal

The request to withdraw option should be used when an Applicant Landlord or an Applicant Tenant decide that they do not wish to continue with their own application. This may result in the Board closing the file without issuing an order. If the Board grants the request, the Applicant must inform the Respondent as soon as possible.

Discontinuance

The request to discontinue option should be used by an Applicant Landlord who has already filed an Application to Evict a Tenant for Non-payment of Rent and to Collect the Rent the Tenant Owes (L1) and the Tenant, at some point after the L1 was filed, has paid all rent arrears and all new rent that came due UP TO THE DATE OF PAYMENT; and the amount the Landlord paid for filing the application. The Landlord's request will result in the Board issuing an order, without holding a hearing, finding that the Tenant's payment of all funds owing has discontinued the application.

Tenant Vacated: Arrears Application

If the Tenant vacated the rental unit after the Applicant Landlord filed an Application to Evict a Tenant for Non-payment of Rent and to Collect the Rent the Tenant Owes (L1), the Landlord may notify the Board that the claim is now for rent arrears only, and not for eviction. A hearing will be scheduled to consider the claim.

Tenant Vacated: Other Application

If the Tenant vacated the rental unit after the Applicant Landlord filed an Application to Terminate a Tenancy and Evict a Tenant (L2), and the Landlord is seeking damages and compensation this option should be chosen and a hearing will be scheduled to consider the claim.

If the Landlord is not seeking damages the Landlord should consider the withdrawal option since the cause of the application no longer exists.

L1 or L9: Payment Plan, NO Eviction Sought

If the Applicant Landlord has filed an Application to Evict a Tenant for Non-payment of Rent and to Collect the Rent the Tenant Owes (L1) or an Application to Collect Rent the Tenant Owes (L9) and the Tenant is STILL in possession then the parties may agree to a repayment plan.

The Landlord and Tenant can enter into a "Payment Agreement" pursuant to section 206 of the *Residential Tenancies Act, 2006* (RTA). The completed form must indicate the full amount owing to the end of the current rental period, must list all the payments and the due dates for the payments. The payment plan must also include the new rent that will become due during the repayment period. The agreement must provide that if any of the payments are not made in full and on time the Landlord may:

- a) file a request to reopen the application which will result in a hearing being scheduled at a later date;
- or**
- b) file an application under section 78 of the RTA requesting an order terminating the tenancy without a hearing be held, if the payment plan was based on an L1 application. Tenants may bring a motion to set aside this type of order.

Consent

If a Landlord or a Tenant have filed an application and the parties have reached a full resolution and wish to have a consent order reflecting their agreement this option may be chosen. For instance, if the parties both wish to end the tenancy they could agree to terminate the tenancy as part of their resolution.

A hearing will be held to consider the parties' request. BOTH parties must attend, and the order cannot include any terms inconsistent with the RTA.