

DISPUTE RESOLUTION PROCESS OFFENCE UNDER THE ACT

IMPORTANT

The contents of this information bulletin are for information purposes only and do not replace the legislation.

DISPUTE RESOLUTION

The preferred dispute resolution process for a party to a tenancy who has reasons to believe that an offence under the *Residential Tenancies Act* has been committed by the other party to the tenancy follows these five (5) steps. The party alleging the offence is responsible to initiate step 1 to 3.

Problem/Steps	Preferred Course of Action
<p>A party to a tenancy has reasons to believe that an offence under the Act has been committed by the other party</p> <p style="text-align: center;">Step 1 - Dialogue</p>	<p>The tenant or the landlord may notify the other party to the tenancy verbally that he/she believes that an offence under the Act has committed and should request immediate and complete cease of illegal activities.</p> <p>Sometimes, the given nature of the alleged offence, the party may wish to apply directly to the Office of the rentalsman.</p>
<p>A party to a tenancy has reasons to believe that an offence under the Act has been committed by the other party</p> <p style="text-align: center;">Step 2 - Written Complaint</p>	<p>The tenant or the landlord may notify, in writing, the other party to the tenancy that he/she believes that an offence under the Act has committed and should request immediate and complete cease of illegal activities.</p> <p>This letter should contain the following: Date, landlord's and tenant's full name and address, specific details of the offence committed and request immediate and complete cease of illegal activities and signature.</p>
<p>A party to a tenancy has reasons to believe that an offence under the Act has been committed by the other party</p> <p style="text-align: center;">Step 3 - Application for Assistance to the Office of the Rentalsman</p>	<p>The tenant or the landlord can submit a Tenant Application for Assistance or a Landlord Application for Assistance to the Office of the rentalsman.</p> <p>This Application for Assistance will require the following evidence to fully describe your case:</p> <p>Required evidence: The burden of proof is on the applicant.</p> <ul style="list-style-type: none"> • a copy of your lease • a proof of payment of security deposit such as a receipt or a blank cheque in cases related to remittance of the security deposit <p>Optional evidence:</p> <ul style="list-style-type: none"> • a copy of the written complaint to your landlord • any picture (digital accepted) or other evidence that would help state your case • witnesses statements including telephone numbers • police reports, if available

Problem/Steps	Preferred Course of Action
<p align="center">Step 4 - Rentalsman's investigation</p>	<p>The Office of the Rentalsman will assign a rentalsman to your case. The assigned rentalsman will investigate your complaint and will be required to establish the following facts:</p> <ul style="list-style-type: none"> • nature of the alleged offence under the act • validity of the allegations • extent of damage to the tenancy
<p align="center">Step 5 - Dispute Resolution</p>	<p>The assigned rentalsman may, on the approval of the Crown Prosecutor, prosecute the party involved in the offence in the Provincial Court for the offence committed. Your assigned rentalsman can advise you in more details on this process.</p>

ADDITIONAL INFORMATION

For additional information, visit the Office of the Rentalsman website at www.snb.ca/irent or contact one of their offices.

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