

Instructions to the Landlord

1. Complete the attached application form. Do not copy the application form. RTDRS will copy it when you come to our office. Provide the correct first and last names and current address(es) for the respondent(s). Respondents may be tenants or non-tenant occupants. If incorrect or abbreviated names are used, it may cause problems for you in enforcing orders or judgments

2. Mark your evidence. “Evidence” is the legal word for things that prove what happened during the tenancy. Evidence may be what you and your witnesses say in the hearing. Evidence may also be documents such as leases or agreements, termination notices, receipts, invoices and photographs. Documents which will be used as evidence must be marked as “Items” (Item “A”, Item “B”, Item “C”, etc). Write the Item letters on the application form in the spaces provided.

3. Make copies of your evidence. You must make the correct number of copies of your evidence before you bring the application to the RTDRS office. The number of copies that you must make depends on the number of respondent(s) in your application form:

- 1 Respondent – Original evidence plus 3 copies (total 4 sets of evidence)
- 2 Respondents – Original evidence plus 4 copies (total 5 sets of evidence)
- 3 Respondents – Original evidence plus 5 copies (total 6 sets of evidence)

4. The RTDRS filing fee is \$75.00. Bring the fee, the completed application form and correct number of evidence copies (from #3 above) to the RTDRS office. When you file your application with the RTDRS, you will receive a *Notice of Hearing* form that gives the date, time and location of the hearing. The *Notice of Hearing* form plus the filed application form and your evidence are called the “application package”.

5. Serve the application package(s) on the respondent(s). The legal words for giving the application package(s) to the respondent(s) are “service” or “serve.” You must **serve the application package on the respondent(s) at least 3 clear days before the hearing date.** This means that the date of service, the date of the hearing, weekends and holidays are not counted as part of these days. Correct service is important to avoid delays in hearing your application. For more information on service, see the *How to Serve RTDRS Documents* tipsheet on the RTDRS website.

6. Complete an Affidavit of Service by Landlord form stating how and when you served the application package(s) on the respondent(s). The RTDRS will give you this form when you file your application. Attach one copy of the filed application package to this form to show exactly what you served on the respondent(s). Bring this to the RTDRS office on the day of the hearing.

Additional Evidence If you have additional evidence that was not provided as part of your application package, you must serve a copy on the RTDRS and the respondent(s) **at least 24 hours before the hearing.** If this is not done, you may not be allowed to use this evidence at the hearing.

Attendance **It is important to be on time for your hearing.** You may arrange to have an agent or representative attend the hearing on your behalf. If you or your agent/representative are unable to attend at the date and time scheduled, please contact the RTDRS at **310-0000, then 780-644-3000** for other possible options. If you or your agent/representative do not attend, your application may be dismissed.

Settling your dispute If you settle your dispute before the hearing, or decide not to proceed, file a *Notice of Withdrawal* with the RTDRS and notify the respondents. You may fax the *Notice of Withdrawal* to RTDRS. Filing fees are not refunded for withdrawn applications.

FOR MORE INFORMATION Forms and information are located at www.rtdrs.alberta.ca Click on *Rules of Practice and Procedure* for information on the hearing process. Information can also be obtained at the RTDRS offices.

Government of Alberta ■
Service Alberta
Residential Tenancy Dispute Resolution Service

Unit 112, 10025-102A Avenue
Edmonton, Alberta T5J 2Y8
Fax: 780-644-2266

Main Floor, Rocky Mountain Plaza,
230 – 7 Avenue, SE
Calgary, Alberta T2G 0H9
Fax: 403-297-2669

Toll-free 310-0000 then dial 780-644-3000
www.rtdrs.alberta.ca

**LANDLORD’S APPLICATION
FOR
DAMAGES**

This is an application to the Residential Tenancy Dispute Resolution Service (RTDRS) for a judgment for the following damages:

- Unpaid rent and/or utilities
- Damage to the rental premises
- Loss of rental income
- Compensation for over-holding tenant
- Damages (compensation) for breach of tenancy agreement

Landlord/Applicant: _____

Landlord’s Address for Service: _____

City: _____, Alberta **Postal Code:** _____

Phone Number: (____) _____ **Fax Number:** (____) _____

Tenant/Respondent: _____

Tenant’s Address for Service: _____

City: _____, Alberta **Postal Code:** _____

Phone Number: (____) _____

Rental Premises Address: _____

INITIAL HERE TO CONFIRM:

_____ I have not made an application with the courts on this matter. I have not been served with a court application filed by the respondent(s) on this matter. I will contact the RTDRS if I learn that an application has been filed at the courts.

Have you been served with an RTDRS application package by the respondent(s)? Yes____ No____

E. COMPENSATION FOR OVERHOLDING TENANT:

Monthly rent multiplied by 12 and that amount divided by 365 to get the daily rent amount. Then multiply the daily rent by the number of days the respondent(s) stayed in the premises past the possession date.

Total Claim for Compensation \$_____

F. DAMAGES FOR BREACH OF THE TENANCY AGREEMENT:

Provide details of the breach(es):

Marked as "ITEM(S)_____"

Total Claim for Damages: \$_____

G. COSTS:

- I am claiming the \$75 RTDRS filing fee
- I am claiming the following other costs of filing this application:

Marked as "ITEM(S)_____"

Total Claim for Costs: \$_____

TOTAL AMOUNT CLAIMED FOR THIS APPLICATION (B + C + D + E + F + G) \$_____

WITNESSES: I will **or will not** **call witnesses to give evidence.**

Witness names: _____

INITIAL HERE TO CONFIRM:

_____ My claim is less than \$25,000. I understand that by checking this box I am abandoning any part of my claim that is over \$25,000.00. I understand that I cannot recover any part of the claim that has been abandoned either at the RTDRS or any other court.

Dated this _____ **day of** _____, **20** _____

Signature: _____

Print name: _____

Position: _____

(Owner/Landlord, Agent, Representative, etc.)

RTDRS OFFICE USE ONLY:

RTDRS Information Officer: _____

Filing fee paid by: CASH CHEQUE DEBIT MASTERCARD
 VISA MONEY ORDER WAIVED

Government of Alberta ■
Service Alberta

Filing Date: _____