

Instructions to the Landlord

1. Complete the attached application form. Provide the correct, full names and current addresses 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. Make 3 copies of the documented evidence. If you are claiming against more than one respondent, make an extra copy for each additional respondent. For example, for 3 respondents, you must have the original plus 5 photocopies. You must have the copies made before you bring the application to the RTDRS office for filing.
3. The RTDRS filing fee is \$75.00 which must be paid at the time the application form is filed.
4. You may arrange to have an agent or representative attend the hearing on your behalf. If you are unable to attend at the date and time scheduled, please contact the RTDRS at **310-0000**, **then 780-644-3000** for other options which may be available. If you or your representative do not attend, your claim may be dismissed. It is important to be on time.

SERVICE OF THE APPLICATION PACKAGE ON THE RESPONDENT(S):

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.”

The next step is to give a copy of the application package to the respondent(s). The legal words for giving the application package to the respondent(s) are “service” or “serve.” You must give the application package to the respondent(s) at least 3 clear days before the hearing date. The date of service, date of 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 at www.rtdrs.alberta.ca

You must complete an *Affidavit of Service by Landlord* form stating the method and time of service. The RTDRS will give you this form when you file your application.

EVIDENCE TO SUPPORT YOUR APPLICATION:

You must provide evidence to support your application. It may be your own oral testimony, the testimony of witnesses who have relevant information, documentary evidence such as leases or agreements, termination notices and photographs. All documentary evidence must be marked as “Items” and attached to your application form (Item “A”, Item “B”, etc).

If you have additional evidence that was not a 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.

WITHDRAWAL OF THE APPLICATION

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 as soon as possible. You may file the *Notice of Withdrawal* with the RTDRS by fax. The filing fee will not be refunded if an application is withdrawn.

FOR MORE INFORMATION

RTDRS information and forms 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.

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 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: _____