

RTDRS TELEPHONE HEARINGS

Residential Tenancy Dispute Resolution Services (RTDRS)

Who can have a RTDRS hearing by telephone?

To be eligible for a telephone hearing your rental property must be located in an area of the province where telephone hearing services are available. A list of locations is on our website.

How does a telephone hearing work?

All the forms and information sheets are on our website. RTDRS schedules the date and time for the telephone hearing and writes them on the *Notice of Hearing* form. If the application is filed by fax, the application package will be faxed back to the applicant.

The applicant must provide the filed application package to each respondent. For instructions on how to do this, see our *How to Serve RTDRS Documents* information sheet.

The Tenancy Dispute Officer (TDO) will call the applicant and each respondent on the scheduled hearing date and time at the telephone numbers the applicant provided on the *Notice of Hearing* form. The applicant and each respondent must both be available at the scheduled start time and for 45 minutes after the start time to accommodate for any delays.

RTDRS hearings are recorded. Participants in hearings are asked to:

- speak one person at a time
- avoid interrupting other speakers
- not engage in side conversations
- limit excessive background noise

Following these basic courtesies helps the TDO to clearly hear and record the testimony.

What if phone numbers change or are unavailable?

Call RTDRS at the number below to provide this information.

What should I do with my evidence?

If you are the applicant, you provide your evidence to RTDRS when you file your application. The evidence becomes part of the application package and you must also provide it to each respondent. Any additional evidence must be given to the respondent(s) at least 24 hours before the date and time of the hearing.

If you are the respondent, you can present your own evidence at the hearing to defend against the application. If you want to present evidence at the hearing, you must provide it to each applicant, other respondents and RTDRS at least 24 hours before the date and time of the hearing.

You may also make a counterclaim. Our *Counterclaims* information sheet has more details on this process.

What if I have witnesses?

Either party may have witnesses testify. Witnesses must be available to testify at the time of the hearing. You may arrange to have them present with you or provide the TDO with their phone number. Witnesses are not allowed to listen in or participate in the hearing until their testimony is required.

What happens if I am disconnected from the call?

At the start of the hearing, the TDO will tell you what to do if you are disconnected. In most cases you will be told to hang up and the TDO will call you back. RTDRS discourages the use of cell phones for hearings because they are prone to disconnection problems.

What happens if I miss the call?

If you are the applicant, your case may be dismissed. If you are the respondent, the hearing may proceed without you and an order may be granted against you. It is important that RTDRS has current phone numbers and that you are available for the hearing.

What happens if I am unable to attend the telephone hearing?

You must get consent from the other party to re-schedule the hearing to a different date. If you cannot get consent, you may have someone attend the hearing as an agent on your behalf or request an adjournment. Call RTDRS to tell them if you have consented to a date change or to give your agent's phone number. Adjournments are granted at the discretion of the TDO. If the adjournment request is denied, the hearing will take place as scheduled.

For further information on RTDRS, please visit our website at www.rtdrs.alberta.ca. Click on *Rules of Practice and Procedure* for full details on how RTDRS works.