



ARBITRATION RULES OF PROCEDURE

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 DEFINITIONS AND USAGE

Adjournment	an arbitrator's order to continue a hearing at a later date, either at the request of one or both of the parties, or on the arbitrator's own initiative; sometimes called a "reconvene".
Advocate	a person who provides assistance to a party.
Affidavit of service	a written or printed declaration or statement certifying the service of a notice, summons or other document or process, made voluntarily and confirmed by the oath or affirmation of the party making it, taken before a person having authority to administer such oath or affirmation.
Agent	a person appointed by a party to act on that party's behalf
Applicant	the landlord or tenant who applies for arbitration by completing an Application for Arbitration, having it accepted by the Administrator and paying any required fee.
Arbitration	a legal process, including a hearing, initiated by a landlord or a tenant by filing an Application for Arbitration for the purpose of obtaining a legally binding decision from an independent decision-maker. A formal hearing where an arbitrator will give the parties to the dispute an opportunity to present evidence and argument and to question the other party, and after which the arbitrator makes a decision and/or order.
Days	in the calculation of time expressed as "at least" a number of days, the first and last days must be excluded. If the date the document, notice or evidence must be served or given falls on a weekend or holiday, and it must be <ul style="list-style-type: none"> • served on a business, or • filed in an office, then it must be served or filed on the previous business day. If the document or notice must be provided to the Administrator, weekends and holidays are not to be included in the calculation of days.
Decision	a conclusion or determination of the arbitrator which legally resolves the matters outlined in the Application for Arbitration, including orders, if necessary to implement the decision.
Evidence	any type of proof presented by the parties at a hearing in support of case, including: <ul style="list-style-type: none"> • Written documents such as the tenancy agreement, letters, printed copies of emails, receipts, pictures and the sworn or unsworn statements of witnesses; • Photographs, videotape, audiotape and other physical evidence; • Oral statements of the parties or witnesses given under oath or affirmation.

Hearing	the portion of an arbitration in which parties are called together by an arbitrator and given an opportunity to present evidence and argument, and questions the other party. A hearing may include an oral or written submission. A hearing may take place by telephone conference call.
In writing	except where an original document is required by the arbitrator, printed documents or documents to be submitted in writing and may be submitted by fax or by email.
Law	<i>Residential Premises Law 2008-03</i>
Opposing claim	an Application for Arbitration made to counter an existing application or made in response to a related Application for Arbitration
Party	the applicant or respondent named on the Application for Arbitration or added to the application by an arbitrator, and an officer representing a business named in the application, but does not include witnesses, family members, and other persons not named on the application. "Party" may include multiple applicants or respondents.
Personal information	recorded information about an identifiable individual including: <ul style="list-style-type: none"> • Name, address or telephone number; • Race, national or ethnic origin, colour, or religious or political beliefs or associations; • Age, sex, sexual orientation, marital status or family status; • Identifying number, symbol or other particular assigned to the individual • Fingerprints, blood type or inheritable characteristics; • Health care history, including physical or mental disability; • Educational, financial, criminal or employment history; • Anyone else's opinion about the individual; • Personal views or opinions of the individual, except if they are about someone else.
Reasons	the grounds and conclusions on which an arbitrator has based a decision, including both factual evidence and law.
Relevant	evidence is relevant that relates to or bears upon the matter at hand, or tends to prove or disprove an alleged fact. Argument is relevant if it relates to or bears upon the matter at hand.
Reschedule	the act of the Administrator re-designating a time, date and place for the hearing, when an Application for Arbitration is filed.
Reserve	the act of an arbitrator deciding not to make a decision at the hearing, but to take some time to provide the written

decision/order and written reasons within the time limits specified under the Law.

Respondent	the landlord or tenant against whom the Application for Arbitration has been made; sometimes called the "other party".
Schedule	the act of the Administrator, at the time an application is filed, that designates a time, date and place for the hearing, including a determination whether the hearing will be conducted in-person, or conference call, or by written submissions.
Serve	the formal legal manner of giving a party required documents as set out in the Law.
Sever	to delete or strike over information in such a way that the information is no longer legible.
Substitutional service	an alternative method of service authorized by an arbitrator where the party has made reasonable efforts to serve but has been unable to serve hearing documents, notices or decisions in accordance with the Law.

1.1 Objective of these Rules

The objective of the Rules of Procedure is to ensure a consistent, efficient and just process for resolving disputes.

1.2 Purpose of the hearing

The purpose of an arbitration hearing is to enable the arbitrator to hear the tenant and the landlord explain their separate versions of a dispute, receive the evidence presented by each party and make an impartial and binding decision to resolve the dispute.

2.1 Grounds for the application

The arbitrator must hear and decide on the matters set out in the Application for Arbitration, except as provided for under the Law or these Rules of Procedures.

2.2 Joining applications

In determining whether to join Applications for Arbitration, the Administrator must consider the following criteria:

- a) whether the applications pertain to the same residential property, or residential properties which appear to be managed as one unit;
- b) whether all applications name the same landlord;
- c) whether the remedies sought on each application are similar;
- d) whether it appears that the arbitrator will have to consider the same facts and make the same or similar findings of law in resolving each application.

2.2A Combining sections on one application

At the discretion of the Administrator, a party may list multiple sections on one Application for Arbitration, providing that the issues are related and it appears that the same facts must be heard and the same law considered by the arbitrator in determining the matters in question. If, in the course of the hearing, the arbitrator determines that one or more sections were not related, the arbitrator may dismiss those portions of the application with leave to re-apply.

2.3 Limit on the amount of claim

An applicant with a claim amounting to more than \$10,000 may choose to abandon part of the claim so the total claimed will come within the limit that may be heard by an arbitrator. An applicant is not permitted to divide a claim that exceeds \$10,000 into smaller claims. Where two or more applications have been joined, the monetary limit for each claim is \$10,000.

2.4 Amending an application before the hearing

The applicant may amend the application without consent if the hearing has not yet commenced. If applications have not been served on any respondents, the applicant should return to the

Administrator to amend all copies at the same time. If the application has been served, and all requirements can be met to serve each respondent with an amended copy before the hearing, the applicant may be permitted to file a revised application with the Administrator. A copy of the revised application must be served on each respondent.

3 RULE 3- SERVING THE APPLICATION AND EXCHANGING EVIDENCE

3.1 Documents required for service

Together with a copy of the Application for Arbitration, the applicant must serve each respondent with copies of all of following:

- a) the notice of hearing provided to the applicant by the Administrator;
- b) the hearing information package provided by the Administrator.
- c) the details of any monetary claim being made, and
- d) any other evidence accepted by the Administrator with the application or that is available to be served.

3.2 If a respondent avoids service

If the respondent is avoiding service or cannot be found, the applicant can return to the Administrator and request an arbitrator's order for substitutional service, or make the application at the start of the hearing, provided that reasonable attempts have been made to serve the respondent.

3.3 Proof of service required for arbitration hearing

If the respondent does not attend the arbitration hearing, the applicant must prove to the arbitrator that each respondent was served as required under the Law. The person who served the documents may attend the arbitration hearing or prepare an affidavit of service informing the arbitrator how service was accomplished. The arbitrator may ask the person to swear an oath or make an affirmation to tell the truth at the hearing.

3.4 Evidence to be filed with the Application for Arbitration

To the extent possible, the applicant must file copies of all available documents, photographs, video or audio tape evidence at the same time as the application is filed.

3.5 Evidence not filed with the Application for Arbitration

Copies of any other documents or photographic evidence that are not available to be filed with the application, but which the applicant wishes to present as evidence at the hearing, must be filed with the Administrator and served on the respondent as soon as possible, and at least two (2) days prior to the hearing as those days are defined in the "Definitions" part of the Rules of Procedure. If the documents are not served as required, the arbitrator must apply Rule 11.5 [Consideration of evidence not provided to the other party or the Administrator in advance of the hearing].

3.6 Summary of videotape or audiotape evidence

An applicant wishing to present video or audio tape evidence, who is not able to provide a copy of that evidence to the respondent, must provide a written summary of the evidence to the Administrator and the respondent, at least two (2) days in advance of the hearing. If the summary is not served as required, the arbitrator must apply Rule 11.5 [Consideration of evidence not provided to the other party or the Administrator in advance of the hearing].

3.7 Notice of other physical evidence

An applicant wishing to present other physical evidence must provide a description to the Administrator and the respondent, in writing, at least two (2) days in advance of the hearing. If the notice is not served as required, the arbitrator must apply Rule 11.5 [Consideration of evidence not provided to the other party or the Administrator in advance of the hearing].

4.1 Serving of the respondent’s evidence

If the respondent wishes to dispute an Application for Arbitration, the respondent should file copies of all available documents and photographs, intended to be used to defend the respondent’s position, with the Administrator and serve the applicant with the documents as soon as possible, and at least two (2) days before the hearing. If the documents are not served as required, the arbitrator must apply Rule 11.5 [Consideration of evidence not provided to the other party or the Administrator in advance of the hearing].

4.2 Summary of videotape or audiotape evidence

Subject to Rule 11.5 [Consideration of evidence not provided to the other party or the Administrator in advance of the hearing], the respondent wishing to present video or audio tape evidence, who is not able to provide a copy of that evidence to the applicant, must provide a written summary of the evidence to the Administrator and the applicant, at least two (2) days in advance of the hearing.

4.3 Notice of other physical evidence

Subject to Rule 11.5 [Consideration of evidence not provided to the other party or the Administrator in advance of the hearing], the respondent wishing to present other physical evidence must provide a description to the Administrator and the applicant, in writing, at least two (2) days in advance of the hearing.

5 **RULE 5 – MAKING AN OPPOSING CLAIM AGAINST THE APPLICANT**

5.1 **Making an opposing claim**

The party making an opposing claim against the applicant must file an Application for Arbitration, and serve it in accordance with Rule 3 [Serving the application and exchanging evidence] and the Law. If appropriate, and where the party has sufficient time to serve the Application for Arbitration, the required documents and any documents, photographs, video or audio tape evidence on the Applicant and the Administrator. The Administrator must schedule the application to be heard by the same Arbitrator at the same time as the original application. The minimum time before the hearing date that an opposing claim may be filed in order to have both applications heard at the same time is two (2) days before the scheduled hearing date for the first Application for Arbitration, excluding weekends and holidays.

6 **RULE 6 – RESCHEDULING AND ADJOURNMENT OF HEARINGS**

6.1 **Rescheduling of arbitration hearing by consent more than one day in advance**

A hearing will be rescheduled if written consent from both the applicant and respondent is received by the Administrator and the Administrator can notify the arbitrator at least one (1) day in advance of the hearing.

6.2 **Rescheduling within one day of the hearing**

If less than one day remains before the scheduled hearing, the arbitrator will apply the criteria in Rule 6.5 [Criteria for granting an adjournment] when considering a request for an adjournment.

6.3 **If no mutual consent, party can request an adjournment**

If a party requests to reschedule a hearing because they are unable to attend due to circumstances beyond their control, and if the opposing party does not consent to the hearing being rescheduled, the Arbitrator may rule on the request prior to commencing the hearing, or may commence the hearing at the scheduled time and then rule on any request to adjourn the hearing to a later date. The party requesting the adjournment can ask the arbitrator to reschedule the hearing by:

Submitting to the Administrator, at least one (1) business day before the hearing, a document requesting that the hearing be rescheduled and setting out the circumstances that are beyond the party's control that will prevent him or her from attending the hearing; or

Having an agent represent him or her attend the hearing to make a request to the arbitrator to reschedule the hearing and describe the circumstances that are beyond the party's control that will prevent him or her from attending the hearing.

6.4 Adjournment after hearing commences

At any time after the hearing commences, the arbitrator may adjourn the hearing to a later time at the request of any party or on the arbitrator's own initiative.

6.5 Criteria for granting adjournment

Without restricting the authority of the arbitrator to consider other factors, the arbitrator must apply the following criteria when considering a party's request for adjournment at the time of the hearing:

- a) the oral or written submissions of the parties;
- b) whether the purpose for which the adjournment is sought will contribute to the resolution of the matter in accordance with the objectives set out in Rule 1 [Objective and purpose];
- c) whether the adjournment is required to provide a fair opportunity for a party to be heard, including whether a party had sufficient notice of the hearing;
- d) the degree in which the need for the adjournment arises out of the intentional actions or the neglect of a party seeking the adjournment; and
- e) the possible prejudice to each party.

6.6 Mandatory attendance

The arbitrator may, in granting an adjournment, make it mandatory for the parties to attend on the date when the hearing will be reconvened. If a party does not attend the reconvened hearing at the scheduled time, the arbitrator may commence or continue the hearing and may conclude the hearing and make a decision or order in that party's absence.

6.7 Refusing a request for an adjournment

If the arbitrator determines that it is not appropriate to grant a request for an adjournment, and the applicant does not appear or is unwilling to proceed, the arbitrator may dismiss the application with or without leave to re-apply. If the respondent is unwilling to proceed, the arbitrator may proceed with the hearing and may conclude the hearing and make a decision or order.

6.8 Written reasons for adjournment

If a party requests written reasons for an arbitrator's decision respecting a request for an adjournment, such written reasons will be provided within the time limits provided generally for written reasons under the Law.

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RULE 7 – SUMMONS TO TESTIFY**7.1 Application for a summons to testify**

Any request to an arbitrator to issue a summons to testify must be submitted, in writing, to the Administrator, and must:

- a) set out the name and address of the witness,
- b) include a detailed list of any documents, photographs, video or audio tape, or other physical evidence the witness must bring to the hearing; and
- c) provide a summary of the evidence the witness is expected to produce and a summary of the purpose for which the evidence is required.

7.2 Time when an arbitrator may issue a summons

An arbitrator may issue a summons before the time and date scheduled for a hearing, or may consider the request as a preliminary matter before the hearing commences, or after the hearing has commenced and other evidence has been heard.

7.3 Conduct money

When an arbitrator grants a summons to testify, the summons will specify that the party who has requested the summons will provide the witness with conduct money in accordance with Schedule 1 [Fees payable to witnesses summoned to testify].

8

RULE 8 – CONDUCT OF THE HEARING**8.1 Conduct of the arbitration hearing**

The arbitrator must conduct the hearing in accordance with the Law and the Rules of Procedure.

8.2 Party may present evidence

Each party will be given an opportunity to present his or her relevant evidence, as determined by the arbitrator.

8.3 Party may be represented or assisted

A party to an arbitration hearing may be represented by an agent or a lawyer and may be assisted by an advocate, an interpreter, or any other person whose assistance the party requires in order to make his or her presentation.

8.4 Scope of hearing and decision

The arbitrator must take evidence only on the matters stated on the Application for Arbitration unless otherwise provided by for the Law, at the request of a party made at the start of the hearing, the

arbitrator permits an amendment to the application to include other related matters that may be the subject of an Application for Arbitration between the parties.

In considering whether to permit an amendment to an application at the start of an arbitration hearing to include other matters, the arbitrator will consider whether the amendment would prejudice the other party, or result in a breach of the principles of natural justice and the arbitrator must:

Allow the other party the opportunity to make argument that the hearing of the combined matters or of the additional matter or matters be adjourned; and

Rule whether to adjourn in accordance with Rule 6.5 [Criteria for granting an adjournment and give a reason for granting or refusing the adjournment. The arbitrator may give reasons with Rule 6.8 [Written reasons for an adjournment].

8.5 Form of arbitration hearing

An arbitration hearing may include submissions:

- a) Made orally in-person or by conference call; or
- b) Made in writing

8.6 Communication with the arbitrator

Unless a specific instruction has been given by the arbitrator, all communication with the arbitrator before and after the hearing must be in writing with a copy given to the other party.

8.7 Interruptions

Disrupting the other party's presentation with questions or comments will not be permitted. The arbitrator may give directions to a party who presents rude, antagonistic or inappropriate behaviour. A person who does not comply with the arbitrator's direction may be excluded from the hearing and the arbitrator may proceed with the hearing in the absence of the excluded party.

9.1 Private recording

Private audio, photographic, video or digital recording of the hearing is not permitted.

9.2 Official recording

A party requesting an official recording by a court reporter must provide written notice, stating the reasons for the request, to the other party and to the Administrator at least two (2) days in advance of the hearing. The arbitrator will determine whether to grant the request and will provide written reasons, if requested.

If granted, the party making the request must:

- (a) Make all necessary arrangements for attendance by a court reporter and court reporter's necessary equipment;
- (b) pay the cost of the court reporter's attendance at the hearing, and the recording; and
- (c) must provide all parties with copies of the recording, transcript or both, as ordered by the arbitrator.

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RULE 10 – INTRODUCTIONS AND PRELIMINARY MATTERS

10.1 Commencement of the hearing

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

10.2 Introduction to the hearing process by arbitrator

At the beginning of the hearing, the arbitrator must explain how the hearing will proceed and must answer relevant questions the parties may have about the hearing process.

10.3 Preliminary matters

Upon request, the arbitrator must consider any preliminary matters including but not limited to questions of jurisdiction, substitutional service, adjournment, adding a related matter, amending an application, and summoning a witness or documents or photographs, video or audio tape evidence, or other physical evidence.

10.4 Authority to act as agent or advocate

An arbitrator may require an agent or an advocate to provide proof of that person's appointment to represent a party and may adjourn a hearing for this purpose.

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RULE 11 – PRESENTING EVIDENCE AND WITNESSES

11.1 Order of presentation

The applicant will present their case and evidence first unless the arbitrator decides otherwise.

11.2 Relevance of the evidence

A party must present only evidence that is relevant to the application being heard. The arbitrator may ask a party to explain the relevance of the evidence and may decline to hear evidence, if not relevant.

11.3 Personal information not relevant to the proceedings

An arbitrator may, at the request of a party, permit the party to sever personal information from a document or other material that is being submitted into evidence, providing that the arbitrator first determines that the personal information is not relevant to the proceedings.

11.4 Evidence that is not provided in advance of the hearing

The applicant and respondent should provide the arbitrator and the other party with copies of all documents and photographs (or clear reproductions) which are intended to be used as evidence, at least two (2) days prior to the hearing. Except for supporting expense receipts on a rent review, sufficient copies of any evidence not served in accordance with Rule 3.1 [Documents that must be served], 3.5 [Evidence not filed with the Application for Arbitration] or 4.1 [Serving the respondent's evidence] must be brought to the hearing for the arbitrator and all parties. The arbitrator will decide whether to accept this evidence in accordance with Rule 11.5 [Consideration of evidence not provided to the other party in advance of the hearing]. Additional copies of supporting expense receipts are not required on a rent review application; however, the other party will be permitted to examine the receipts if they are taken into evidence.

11.5 Consideration of evidence not provided to the other party in advance

If the documents or other evidence are not served on the other party as required

- a) the arbitrator must rule on whether the documents are relevant,
- b) if the documents are relevant, the other party will have an opportunity to review and make argument that the matter be adjourned, and
- c) the arbitrator must rule whether to adjourn, in accordance with Rule 6.5 [Criteria for granting adjournment], and rule whether to adjourn the hearing.

11.6 Evidence not received by the arbitrator

The arbitrator will decide whether to adjourn a hearing to receive evidence that a party states was submitted to the Administrator but was not received by the arbitrator before the hearing.

11.7 Original evidence

A party must bring the original of any document, if available, to be presented into evidence at the hearing and make the original available to the arbitrator if requested to do so. The arbitrator has the authority to direct that the original document be placed into evidence rather than a copy. Unless the arbitrator so directs, a party may offer a legible copy of the document as evidence.

11.8 Videotape, audiotape and other physical evidence

Videotape, audiotape and physical evidence may be brought to the hearing, provided the Administrator and the other party have been properly served in accordance with Rules 3.6 [Summary of videotape or audio tape evidence], 3.7 [Notice of other physical evidence], 4.2 [Summary of videotape or audiotape evidence] and 4.3 [Notice of other physical evidence]. Rule 11.5 [Consideration of evidence not provided to the other party in advance] will apply.

11.9 Witnesses' attendance at the arbitration hearing

Subject to 11.10 and 11.11, parties are responsible for having their witnesses available in person at the arbitration hearing. Witnesses must be available until called or excused by the arbitrator, or until the hearing ends.

11.10 Witnesses unable to attend

At the start of a hearing, a party may request that his or her witness or witnesses provide evidence from a different location. The Administrator and the other party must receive a written request at least two (2) days prior to the hearing. The arbitrator will consider any prejudice to the other party when deciding whether to grant the request. The arbitrator may waive the advance notice requirement if satisfied that sufficient reason exists for the failure to provide advance notice.

11.11 Exclusion of witnesses and others

Except as provided by the Law, witnesses and others who are not party to the hearing will be excluded from the hearing room or conference call until called to testify unless permitted to attend by the arbitrator.

11.12 Inspections

At the request of a party, or on the arbitrator's own initiative, the arbitrator will decide whether to conduct an on-site inspection, and will appoint the date and time for the inspection. All parties are entitled to be present at the inspection.

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RULE 12 – QUESTIONS REGARDING EVIDENCE

12.1 Questions regarding evidence

At the request of a party and/or as directed by the arbitrator, a party will be given an opportunity to ask questions about the other party's evidence. The arbitrator may ask questions of any party or witness at any time during the hearing, subject to Rule 12.3.

12.2 Questions asked through the arbitrator

Each party may be required to ask questions through the arbitrator

- a) in order to ensure the relevancy of evidence; or
- b) if a party to a hearing presents rude, antagonistic or improper questions when given the opportunity to directly question another party.

12.3 Questions by the arbitrator

The arbitrator will ask questions of a party or witness if necessary:

- a) to determine the relevancy or sufficiency of evidence; or
- b) to assist the arbitrator in reaching a decision.

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RULE 13 – CONCLUSION OF HEARING

13.1 No additional evidence

Additional evidence may be submitted outside the hearing room or conference call only with the permission of the arbitrator and if the

hearing has not been formally concluded. If permission is given, the arbitrator will specify what evidence will be submitted, provide an opportunity to the other party to respond to the additional evidence, and specify the date on which the hearing is concluded.

13.2 Concluding the hearing

The hearing is concluded when the arbitrator declares it concluded.

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 RULE 14 – CONFERENCE CALL HEARINGS

14.1 Conference call process

Except as otherwise set out in these Rules, conference call hearings will be conducted in the same manner as face-to-face hearings.

14.2 Evidence to be provided in advance

Copies of all documentary, audio and video tape evidence must be provided to the Administrator and the other party at least two (2) days before the hearing. Other physical evidence cannot be considered unless notice has been given and the other party has had an opportunity to view the evidence. If the evidence is not served as required, the arbitrator will rule on whether the evidence is necessary to the making of the decision and if so, must provide the other party with an opportunity to review the evidence, and may adjourn the hearing for that purpose.

14.3 Delay in the start of the hearing

In the event of a delay of a start of a hearing, each party must remain available, at the designated telephone number, to commence the hearing for up to one hour after the scheduled start time.

14.4 Identification of people present

Each party must identify all people present at their location.

14.5 Witnesses

Subject to Rule 11.10 [Witnesses unable to attend], a party to a conference call may request that a witness be contacted by the arbitrator during the conference call hearing.

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 RULE 15 – THE ARBITRATOR'S DECISION AND ORDER

15.1 The arbitrator's decision

After the hearing is concluded, the arbitrator must either

- a) provide a written decision and reasons immediately,
- b) provide an oral decision immediately, and a written decision and reasons within 10 days, in the case of a non-manufactured home pad rent review, or 30 days, in all other cases, or
- c) reserve the decision, and provide a written decision and reasons within the timelines set out in (b).

15.2 Original decisions

The arbitrator must provide original signed decisions to parties who attend the hearing, except if the arbitrator directs otherwise, and a

signed original for the arbitration file. If directed to serve the respondent, the applicant will receive an additional original decision for that purpose.

15.3 Original orders

The arbitrator will provide a sufficient number of signed original orders to the recipient of the order to permit service and enforcement in the court, and a signed original order for the arbitration file.

15.4 Service of order

If the arbitrator sets conditions for service of an order, the decision or order must set out any requirement for timing or method of service that may be necessary.

16 RULE 16 – LAW TAKES PRECEDENCE

16.1 Conflicts between the Rules and the Law

When the Law and the Rules of Procedure conflict, the Law applies.

17 RULE 17 – NON-COMPLIANCE

17.1 Non-compliance with Rules

Failure to comply with these Rules of Procedure will not in itself stop or nullify a hearing, a step taken, or any document or order made in the hearing.

SCHEDULE 1 – FEES PAYABLE TO WITNESSES SUMMONED TO TESTIFY

In all cases in which a witness is summoned to attend an arbitration hearing, the following daily witness fees and fees for travel, and meals are payable, and will be given in advance by the party requiring the attendance of the witness:

Daily witness fee

1. For any witness, other than a party or a current officer, director or partner of a party to a proceeding, for each day or part of a day, a daily witness fee of \$20.00. A witness who is a party or a current officer, director or partner of a party to the proceeding is not entitled to a daily witness fee.

Travel

2. For any witness where the hearing is held at a place
 - a) within 200 km by road (including any ferry route within the Provincial road system) of where the witness resides, \$0.48 per km each way by road between his other residence and the place of hearing; but no travel allowance will be made if the distance by road between that residence and the place of hearing is less than 8 KM. This allowance includes ferry fares and road tolls, or
 - b) more than 200 km from where the witness resides, the minimum return air fare by schedule airline plus \$0.48 per km each way from his or her residence to the departure airport and from the arrival airport to the place of hearing.

Allowances

If meal expenses are required because a witness has been summoned to testify and, if the witness is on travel status (more than 50 km one way from his or her home to the hearing location), the party summoning the witness will provide the witness with the following meal allowances:

Breakfast only	\$22.00		Breakfast & lunch only	\$30.00
Lunch only	\$22.00		Lunch & dinner only	\$36.50
Dinner only	\$28.50		Breakfast & dinner only	\$36.50
Full day	\$47.50			

Overnight accommodation allowance

If the witness is on travel status and is required to remain overnight, an allowance for overnight accommodation must also be provided by the party summoning the witness. Overnight accommodation expenses must be paid in accordance with the following:

Winter Rates (October - April)		Summer Rates (May – September)	
Victoria	\$70	Victoria	\$95
Vancouver area	\$80	Vancouver area	\$115
Other	\$65	Other	\$70