

## APPLICATION FOR ARBITRATION

NOTE: This form is used to request arbitration in a dispute either by the landlord or the tenant. The information is collected under the Westbank First Nation Residential Premises Law 2008-03. Information collected on this form may be disclosed to the public in accordance with the publication of an arbitrator's decision.

File No.:
-----------

**A. Applicant:** Please check one box Tenant Landlord

Full-Name(s):		
Service Address(es): (suite, number, street, city, province, postal code)		
Email Address of Applicant:	Business Phone:	Home Phone:

**B. Respondents:** Please check one box Tenant Landlord

Full-Name(s):		
Service Address(es): (suite, number, street, city, province, postal code)		
Email Address of Respondent:	Business Phone:	Home Phone:

**C. Dispute:** Please check if a manufactured home tenancy

Please check if you have been to mediation

Dispute Address: (suite, number, street, city, province, postal code)	
An arbitrator has the authority to make decisions regarding the types of disputes listed on the reverse of this form. Please provide the section numbers and the particulars of the claim you are seeking in the space provided below. Attach a separate sheet if needed.	
<u>Section</u>	<u>Order or Decision requested (including itemized monetary amounts where applicable)</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**D. Notice:** (Responsibility of Applicant to notify the Respondent)

The Applicant must deliver a copy of an Application for Arbitration Hearing Letter Package to <u>each</u> Respondent named on the application within 3 days of the processing of this application by the Administrator. Do not separate the copies of this form or give the Respondent a copy until the Administrator has processed your application.
---

**E. Signature:** (Required to commence arbitration)

I, the Applicant/Agent for the Applicant apply to the Administrator for arbitration of this dispute. The fee for this application is \$100.00 and may be paid in cash or by cheque made payable to the Westbank First Nation.		
Print name	Signature	Date (mmm/dd/yyyy)

**Applications for Arbitration under the Westbank First Nation Residential Premises Law**

Section	Application for:
15, 16	An order regarding the decorating and repair of the residential premises, or the provision of a service of facility as required by law; or the payment of rent to be held in trust to cover needed repair, or an order authorizing the tenant to deduct up to one month's rent for the cost of a repair, service or facility.
17	An order for a reduction in rent if the landlord fails to comply with a repair or other order under section 16.
18	An order regarding the reimbursement of costs for emergency repairs.
19	An order permitting a landlord or tenant to alter a means of entrance or access to residential premises.
19.1	A determination that access restrictions or extra charges imposed by a hotel landlord is unreasonable.
20	An order authorizing a tenant or landlord to change or refrain from changing the locks or access to residential premises.
21	An order regarding the landlord's entry into the residential premises.
22.5	A determination that withholding consent to the assignment or sublet of the tenant's interest in a tenancy agreement is arbitrary or unreasonable.
23.1	An order specifying the amount of and the effective date of a rent increase for a manufactured home pad.
27.4	An order that a landlord retains or returns some or all of a security deposit plus interest.
35	An order adjudicating a disputed rent increase; extending the time period, refusing, postponing or phasing in a rent increase, or imposing conditions on a rent increase.
37	An order that the charge for a service or facility or the value of the service or facility or its reduction in value is a rent increase.
42	An extension of time to pay all the rent due under a tenancy agreement.
44	An order for the early end of the tenancy agreement and an order of possession for a landlord.
47	An Order for compensation respecting 46 Notices
48	An order that the landlord pay the tenant's actual and reasonable moving expenses, and compensates the tenant for additional expenses incurred, including rent (where notice to end the tenancy was given under section 40).
51	An order amending a defective written notice to end the tenancy.
52	An order setting aside a notice to end a tenancy given by a landlord and/or extending the time in which the application for such an order may be made.
53	An order of possession for a landlord.
54	An order of possession for a tenant.
62	An Arbitrator's order.
75	An order that a party comply with a mediation agreement.
81	An Order for return of property.
83	An order for a landlord or tenant to pay an amount in satisfaction of a claim for debt or damages against the other in respect of a right or obligation under the Law or a tenancy agreement.
84	An order regarding the service of documents.

**For more Information contact the Administrator at:**

**WESTBANK FIRST NATION**  
**#301 – 515 Highway 97 S.**  
**Kelowna, BC V1Z 3J2**  
**Phone: (250) 769-4999**  
**Fax: (250) 769-4377**