

1.
2.

No. (Court file number)
(Court registry) Registry

In the Supreme Court of British Columbia

Between:

(Your name(s))

Petitioner(s)

And:

3.

(Name(s) of respondent(s))

Respondent(s)

PETITION TO THE COURT

ON NOTICE TO:

(Name and address of any other party (or parties) at the Tribunal hearing)

Director
Residential Tenancy Branch
c/o Deputy Attorney General
Ministry of Justice
PO Box 9290 Stn Prov Govt
Victoria, BC V8W 9J7

Deputy Attorney General
Ministry of Justice
PO Box 9290 Stn Prov Govt
Victoria BC V8W 9J7

The address of the registry is:

4.

(address of the court registry)

5.

The petitioner(s) estimate(s) that the hearing of the petition will take (time estimate)

This matter is an application for judicial review.

This proceeding has been started by the petitioner(s) for the relief set out in Part 1 below, by

If you intend to respond to this petition, you or your lawyer must

- (a) file a response to petition in Form 67 in the above-named registry of this court within the time for response to petition described below, and
- (b) serve on the petitioner(s)
 - (i) 2 copies of the filed response to petition, and
 - (ii) 2 copies of each filed affidavit on which you intend to rely at the hearing.

Orders, including orders granting the relief claimed, may be made against you, without any further notice to you, if you fail to file the response to petition within the time for response.

Time for response to petition

A response to petition must be filed and served on the petitioner(s),

- (a) if you were served with the petition anywhere in Canada, within 21 days after service,
- (b) if you were served with the petition anywhere in the United States of America, within 35 days after that service,
- (c) if you were served with the petition anywhere else, within 49 days after that service, or
- (d) if the time for response has been set by order of the court, within that time.

(1) The ADDRESS FOR SERVICE of the petitioner(s) is:

6. (your address for service)

Fax number address for service (if any) of the petitioner(s): (your fax number, if you have one)

E-mail address for service (if any) of the petitioner(s): (your email address, if you have one)

7. (2) The name and office address of the petitioner's(s') lawyer is: N/A

Claim of the Petitioner(s)

Part 1: ORDER(S) SOUGHT

- 8. 1. (What you are asking the court to order (use numbered paragraphs));
- 2. Costs; and
- 3. Any other order the Court deems just.

Part 2: FACTUAL BASIS

- 9. 1. (The facts that you will rely on. Use numbered paragraphs.)
- 2.

Part 3: LEGAL BASIS

- 1. The petitioner will rely on the following:
 - (a) *Residential Tenancy Act*, [SBC 2002] c 78;
 - (b) *Judicial Review Procedure Act*, [RSBC 1996] c 241;
 - (c) *Administrative Tribunals Act*, [SBC 2004] c 45;
 - (d) The *Residential Tenancy Regulation*, BC Reg 477/2003;
 - (e) The Residential Tenancy Branch Rules of Procedure; and
 - (f) The *Supreme Court Civil Rules*, BC Reg 168/2009.
- 10. 2. (The legal basis for your judicial review, and any legal sources you will rely on. Use numbered paragraphs.)
- 3.

Part 4: MATERIAL TO BE RELIED ON

- 11. 1. (The affidavits you will rely on. Use numbered paragraphs.)
- 2. Affidavit # ___ of ___ (NAME) made on ___ (Date).
- 3. The RTB's record of proceedings.

Date: (Date)	(Your signature) Signature of <input checked="" type="checkbox"/> petitioner <input type="checkbox"/> lawyer for petitioner(s)
	(Your name - clearly print or type)
To be completed by the court only:	
Order made	
<input type="checkbox"/> in the terms requested in paragraphs of Part 1 of this petition <input type="checkbox"/> with the following variations and additional terms:	
.....	
Date:[dd/mmm/yyyy]	
..... Signature of <input type="checkbox"/> Judge <input type="checkbox"/> Associate Judge	

Instructions

1. This is where the court file number goes. You will leave this blank on the first court documents you file (see the Example Petition). When you file your initial documents to start your judicial review, the registry will assign a file number and stamp it on the top right hand corner of your documents for you. After that, you must put the assigned file number on any additional court documents you file. The file number lets the registry know what file the documents will go into.
2. This where you put the name of the court registry you are filing with. The BC Supreme Court has the following registries:

• Campbell River	• Kelowna	• Rossland
• Chilliwack	• Nanaimo	• Salmon Arm
• Courtenay	• Nelson	• Smithers
• Cranbrook	• New Westminster	• Terrace
• Dawson Creek	• Penticton	• Vancouver
• Duncan	• Port Alberni	• Vernon
• Fort Nelson	• Powell River	• Victoria
• Fort St. John	• Prince George	• Williams Lake

• Golden	• Prince Rupert	•
• Kamloops	• Quesnel	•

3. In this space, put the name of the respondent or respondents. Usually, the respondents are whichever people or organizations were on the other side at the hearing. For example, the landlord is the respondent if you are a tenant seeking a judicial review of a Residential Tenancy Branch decision. Naming the respondent(s) is a very important step, so you should get legal advice to make sure that you are naming the correct respondent(s). In most cases, it will be any other people or organizations that appeared before the Tribunal.
4. Put in the address of the court registry you want to file in. Normally this would be the registry closest to where you live. If you bring a judicial review in Vancouver, the registry address is the Law Courts, 800 Smithe Street, Vancouver, BC, V6Z 2E1. For any other registry, you will have to look up the address.
5. This is where you put how much court time you think your judicial review will take, including both side's arguments. Most judicial reviews take, at a minimum, 30 minutes. Try to be realistic about your time estimate. If you think your judicial review will take longer than 2 hours, the date will be set through the court's trial scheduling desk, and it will probably take longer to get a hearing date. Check with the registry you are filing with to see how to set down petitions between 30 minutes and 2 hours.
6. Put in your address for service. In most instances, it will be your home address. You must provide a physical address within 30km of the court registry wherever possible. If you do not have such an address, then you must provide a physical address and either a postal addresses, a fax number or an email address. Note that all the legal documents for this court case will be delivered to you at your address for delivery, and it will be up to you to make sure you get them.
7. Put "N/A" (Not Applicable) here because you are not represented by a lawyer.
8. This is where you put what you are asking the court for (or, what you are asking the court to order). It is important to get legal advice on what specific order you should ask for. In addition to the orders specific to your situation, you can also ask for (1) costs, and (2) "any other order the court deems just".
9. This is where you set out the facts that form the basis for your judicial review. It is important to keep this concise and on topic. You should describe who you are, who the respondent is, the nature of the Tribunal, the nature of the decision the Tribunal made, and what happened at the Tribunal hearing. Everything that you put in this section of the Petition must be supported in the evidence in your judicial review (i.e. either an affidavit or a document attached to an affidavit).
10. This is where you set out the legal basis for your judicial review. You should set out any legislation you will rely on, especially the statute the Tribunal is

constituted under and the statute the Tribunal was applying. You should also set out the specific error(s) you are arguing that the Tribunal made in your case.

11. List the affidavits you will be filing in this matter and serving with the petition. List them like this:

"1. Affidavit #___ of _____made _____" or

"1. Affidavit #1 of Don Smith made July 5, 2021"

Instructional