Condominium Dispute Resolution Tribunal

Refund Guideline

This guideline sets out the circumstances in which the Condominium Dispute Resolution Tribunal (CDRT) may refund user fees, which include application fees, listed under section 10(1) of the Condominium Dispute Resolution Tribunal Regulation. This guideline is intended to supplement section 14 of the CDRT's Policies and Procedures.

General principles

- User fees are non-refundable except as expressly provided in this guideline.
- The fee for filing an application with the CDRT provides access to its dispute resolution process, where the CDRT has jurisdiction, including guided negotiation and the first four hours of mediation. The fee is payable for access to these services, regardless of whether a party chooses to use them.
- A refund request will only be considered if submitted by the party who paid the fee and must be made in writing to the CDRT.
- A refund request must be made within 30 days of the dispute application being closed.

Refunds processed by CDRT Administration

- User fees will be refunded by CDRT Administration where:
    - Additional mediation fees were paid for additional mediation time, the matter is resolved, and CDRT Administration is advised prior to the start of any scheduled additional mediation; or
    - An adjudication fee was paid, the matter is resolved, and CDRT Administration is advised prior to the due date of the final submission.

Refunds at the discretion of the Chair

- Requests for a refund of user fees that fall outside those processed by CDRT Administration will be referred to the Chair for consideration.
- The Chair may grant a full or partial refund of user fees where the Chair is satisfied that a refund is fair and appropriate.
- Situations in which the Chair may exercise this discretion include, but are not limited to:
    - A technical or staff error occurred;
    - An application fee was paid in error, or a duplicate payment or overpayment occurred;
    - Exceptional circumstances beyond the party's reasonable control prevented the party from proceeding; or
    - Any other circumstance the Chair considers fair and appropriate.
- In deciding whether to grant a refund and the amount, the Chair may consider all relevant factors.
- The Chair may delegate the authority under this guideline to another Tribunal Member.
- The party making the request will be advised of the Chair's decision, and the reasons for it, in writing.
- A decision on a refund is final, confidential, and will not be posted publicly.

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CONDOMINIUM DISPUTE RESOLUTION TRIBUNAL

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