

## **1 Pre-Filing Considerations**

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The burden of proof falls on the applicant/landlord and as such, any claims made must have sufficient evidence to substantiate the claim. Failure to provide sufficient evidence can greatly impact the success of your claim.

If you are uncertain as to the validity of your claim, please contact our office for assistance.

## **2 Claim Process**

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- Complete the attached “Obtain RTDRS Order” instructions form and submit it to our office along with all applicable evidence. Files may be submitted by fax, email, courier or personal delivery (by appointment only).
- Once received, our office will confirm receipt of your file and a dedicated Account Specialist will contact you with respect to any clarification or further information they may require.
- Once we have all necessary information, the claim will be prepared and filed with the Residential Tenancy Dispute Resolution Service (RTDRS). Our office will then provide you with written notification of the hearing date and any other important information pertaining to the upcoming hearing. Please note that you are not required to attend this hearing unless otherwise notified by the Account Specialist.
- One of our professional process servers will then serve the claim upon the tenant(s) and an affidavit of service will be prepared and filed with the RTDRS.
- Prior to the hearing, our office will contact you to request an update with respect to any payments made or if the tenant has vacated. It is important that you notify the Account Specialist handling your file of any/all changes that may have occurred since filing of the claim.
- On the hearing date, Consolidated Civil Enforcement’s representative will attend RTDRS on your behalf and present your claim. Once the hearing is complete a court order will be granted and you will be provided a copy of the order along with a detailed explanation of the court’s decision.
- Our office will file the court order with Court of King’s Bench, serve it on the tenant(s), and file an affidavit of service at Court of King’s Bench. Copies of all filed documents will then be provided to you for your records.
- You will then be contacted by our office to confirm if the tenant(s) adhered to the terms and requirements of the court order.
  - Conditional orders will generally outline a court ordered payment plan to which the tenant(s) must adhere. If the tenant(s) follow through and pay as required in the order, the tenancy will continue. Should the tenant(s) default on a required payment, the tenancy will terminate and our office will then serve a notice of default detailing a specific date and time the tenant(s) must vacate by.
    - If the tenant(s) does not vacate on the specified date and time, our office will provide you with directions on how to instruct one of our Civil Enforcement Bailiffs to remove your tenant(s).
  - Unconditional orders will simply outline a specific date and time by which the tenant(s) must vacate.
    - If the tenant(s) does not vacate on the specified date and time, our office will provide you with directions on how to instruct one of our Civil Enforcement Bailiffs to remove your tenant(s).

## **3 Time Frames**

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The RTDRS grants hearing dates on a "first come -first served" basis. These times frames do vary depending on the type of claims being submitted and the current hearing docket at RTDRS.

If the tenant(s) produces documentation or information of which we are unaware, it could result in an adjournment of your matter and a delay in court proceedings.

## **4 Retainer**

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We require a sufficient retainer to cover anticipated costs and disbursements that relate to this matter. We will be able to confirm the retainer amount for your specific file that can be paid by VISA, MasterCard, or etransfer. A credit card authorization form is attached to this package for completion.

Send by email to: RTPS@ccebailiff.ca

SUBMIT FORMS &amp; EVIDENCE BY EMAIL OR FAX

Head Office – 300 801 Manning Road NE, Calgary, AB T2E 7M8

Ph: 403-262-8800 Fx: 403-262-8801

 Tenant Name(s): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

 Rental Address: \_\_\_\_\_  
 \_\_\_\_\_

Tenant Phone: \_\_\_\_\_

Tenant Email: \_\_\_\_\_

Date Tenancy Began: \_\_\_\_\_

Date Tenancy Expires: \_\_\_\_\_

Monthly Rent \$ \_\_\_\_\_

Deposit Amt \$ \_\_\_\_\_

 Type of Tenancy:  Fixed Term  Month to Month

 Property Type:  Apartment  House  Townhouse

 Main Floor  Basement

 Minors in the premises?  Yes  No

 Non-Tenant Occupants?  Yes  No

 Tenant Mobility Concerns?  Yes  No

 Pets in the Premises?  Yes  No

 Any known threats/drugs/weapons?  Yes  No

Date: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Reference: \_\_\_\_\_

 Landlord Name: \_\_\_\_\_  
 (as it should appear on all court documents)

**TENANT BREACHES / DEFAULTS**
*List all current substantial breaches of the Residential Tenancies Act and/or contractual defaults of your agreement*

- Failure to pay rent when due
- Interfering with the rights of the landlord or other tenants
- Performing illegal acts in the premises
- Endangering persons on the premises
- Doing or permitting significant damage
- Failing to maintain the premises in reasonably clean condition
- Failing to vacate upon termination/expiration

**Access for Process Server**

To serve documents we must be able to approach the main entry door to the rental address. If this unit is an apartment.

Contact for access: \_\_\_\_\_

Building Code: \_\_\_\_\_

**EVIDENCE REQUIRED TO SUBSTANTIATE CLAIM (ATTACHMENTS)**

*Please note that the burden of proof falls on the Applicant. Therefore, any claims made must have sufficient evidence to substantiate them. Failure to provide sufficient evidence can negatively impact the outcome. If the tenant produces documentation or information we are not aware of, it could result in an adjournment of your matter and a delay in proceedings.*

- Lease Agreement** – All leases/renewals/extensions/new notice to landlord/rental increase notices/pet or parking agreements, etc.
- Statement of Account/Ledger** – Any/all charges noted on ledger including utilities/repair bills/ locksmith invoices/parking, etc.
- Eviction Notice/Notice to Pay** – Any/all eviction notices, default notices, notice to vacate etc.
- Evidence of Damages** – Photos of damages, move- in inspection/interim inspections and invoices for repairs etc.
- Evidence of Interference** – Police reports/witness statements/complaints/warning notices etc.
- Evidence of Failure to Maintain in Clean Condition** – Move-in report and photos/current photos of condition/warning notices etc.
- Evidence of Illegal Acts** – Please Police reports/witness statements/complaints/warning notices/section of the Criminal Code of Canada
- Communication Between Landlord and Tenant** – Any relevant communication regarding breaches etc.
- Retainer** – Contact CCE for \$ amount required.

**Indemnity** – The undersigned confirms that enforcement instructions given to Consolidated are lawful and factually accurate and hereby indemnifies on a solicitor and his own client basis Consolidated, and its directors, shareholders, employees, and agents in respect of its fees, charges and disbursements and in respect of any suit, liability, or claim for damages that might be incurred by it in respect of any function carried out on the enforcement instructions. However, this indemnity shall not extend to any liability arising from the negligence or willful misconduct of Consolidated. This indemnity shall remain in force with respect to all services requested from time to time. In the event of litigation to which this indemnity applies, the undersigned agrees to fund, during the course of such litigation, the legal defense costs of Consolidated and its directors, shareholders, employees, and agents. The undersigned further agrees to provide additional indemnities, bonds or assurances as required by Consolidated from time to time.

Instructing Party (Individual or Legal Name of Company): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Signature (Required) \_\_\_\_\_

Name (please print) \_\_\_\_\_

## MasterCard/Visa Authorization Form

Today's Date	
Card Type:	<input type="checkbox"/> VISA <input type="checkbox"/> MasterCard
Retainer Amount:	
Cardholder Name:	
Card Number:	
Expiry Date:	
Additional charges incurred	By signing below I hereby authorize Consolidated Civil Enforcement Inc. to charge the above noted credit card for invoices incurred on this file. I agree to pay these charges and understand that Consolidated Civil Enforcement Inc. will forward me copies of the same marked as paid by credit card.
Card Holder Signature:	

**ATTACH PHOTOCOPY OF FRONT AND BACK OF CREDIT CARD**

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**For CCE Office Use Only**

CCE File Number: \_\_\_\_\_ Authorization Date: \_\_\_\_\_

Authorization Number: \_\_\_\_\_ Authorizing RM: \_\_\_\_\_

CCE Invoice Payment

Invoice #: \_\_\_\_\_ Invoice Amount: \_\_\_\_\_ Authorization Date: \_\_\_\_\_

Invoice #: \_\_\_\_\_ Invoice Amount: \_\_\_\_\_ Authorization Date: \_\_\_\_\_

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**Consolidated Civil Enforcement Inc.**

300 801 Manning Road N.E. Calgary, AB T2E 7M8 \* Phone: (403) 262-8800 \* Fax: (403) 262-8801  
 Toll Free Phone: (800) 313-4270 \* Toll Free Fax: (888) 262-8803