

Limitation Periods

How much time do you have to start a case for a legal claim in British Columbia?



What you should know

If you have a legal claim that can go to a court or a tribunal, the case almost always has to be started within a set period of time.

After this time runs out, a court or tribunal can refuse your claim, no matter how strong your case would have been.

The time limit is called a “limitation period”. It’s like a countdown. You have to start your case before it runs out.



Extending the limitation period

A court or tribunal might decide to extend a limitation period, because the person with the claim couldn’t have found out about it before the countdown finished.

A limitation period can also change if the person who caused the harm or loss does something to confirm the other person’s right to make a claim.





Key questions

To avoid problems with limitation periods, it's best to answer these questions:

- How long is the limitation period for my claim?
- When did my limitation period start to count down?
- When will my limitation period run out?

We can't answer these questions for you. You may want to ask for help from a lawyer to answer them. Information on finding legal advice is at the end of this information sheet.



Limitation periods and the Solution Explorer

The limitation period will be counting down while you use the Solution Explorer. You need to start your case with the CRT or a court before it runs out.



What you can do

Let's say you think you have a claim. But you aren't sure about the limitation period. Here are steps people might take in your situation:

1. Get help from a lawyer to learn about the limitation period.
2. Start the case as soon as possible – try to reduce the chance that time will run out.
3. Try to get more information about the limitation period that applies to the case.





Want more help?

You can learn more and find potential sources for help at:

- Clicklaw BC website (do a search on "limitation period") at http://www.clicklaw.bc.ca/global/search?k=limitation_period
- Canadian Bar Association BC website - Lawyer Referral at <http://www.cbabc.org/For-the-Public/Lawyer-Referral-Service>
- Canadian Bar Association BC website - Small Claims information at <http://www.cbabc.org/For-the-Public/Dial-A-Law/Scripts/Small-Claims-Court>

