



April 1, 2022 to
March 31, 2023



Message from the Chair

I am pleased to present our annual report for the fiscal year April 1, 2022, to March 31, 2023, on behalf of the Civil Resolution Tribunal (CRT).

The CRT is an independent and quasi-judicial tribunal and part of British Columbia's civil justice system. It was created and designed for the purpose of providing dispute resolution services in a manner that is accessible, speedy, economical, informal, and flexible. It applies principles of law and fairness, and accommodates the diversity of circumstances of the persons using our services.

This fiscal year, the CRT had leadership changes with the appointment of Acting Chairs and then my appointment as Chair in August 2022. I am pleased to report the following important highlights:

The Constitutional Challenge:

At the start of the fiscal year, the CRT's jurisdiction over certain vehicle accident claims was under constitutional challenge. On December 22, 2022, the Supreme Court of Canada denied leave to appeal the BC Court of Appeal decision in *Trial Lawyers Association of British Columbia v. British Columbia (Attorney General) 2022 BCCA 163*. This finalized the CRT's exclusive jurisdiction to determine if an injury is a "minor injury" under the *Insurance (Vehicle) Act*, and specialized expertise to decide claims for liability and damages of up to \$50,000. The CRT can now confidently move forward in resolving these claims.

- **Operational response to the resolution of the constitutional challenge:**

The CRT's social media and website were updated with the outcome of the constitutional challenge including a user friendly [infographic](#) to explain the CRT's jurisdiction over motor vehicle injury and accident benefit claims. This information was also emailed to over 350 legal advocates including those assisting Indigenous peoples and marginalized clients.

Reconciliation:

The CRT continues its journey on the path to reconciliation with Indigenous peoples as outlined in our [Reconcili\(action\) Plan](#), which this year meant supporting the work of the Navigator role, adopting culturally appropriate hiring processes, and providing equitable opportunities to Indigenous applicants. Importantly, early in 2023, we formed a Community Advisory Council comprised of members of Indigenous communities (lawyers and educators). The Council is reviewing our processes, identifying barriers for Indigenous participants, and providing recommendations to address those barriers. We are grateful for this very important work.

The CRT is committed to continuous improvement through regular user feedback. We are also inspired by the feedback that we receive from participants such as the following:

"Bringing an issue to a tribunal is intimidating but your staff made the process seem straightforward and fair to all parties. Most British Columbians do not have the financial resources to speak with a legal professional and knowing that the CRT exists offers a path to justice when needed."

The CRT has been challenged with a significant increase in dispute volumes that has affected how quickly we can resolve disputes. We are addressing this challenge with increased staff resources and finding new efficiencies in our process.

Accessibility and Flexibility:

The CRT is statutorily mandated to be accessible. The CRT surveys its participants and results show that over 90% of CRT users primarily speak English at home, the vast majority have a college or university education or graduate school education (including a law degree), and the majority are from urban areas of the province (see Appendix B of this report). We want to ensure the CRT is accessible to all British Columbians, regardless of their primary language, level of education, or location. As Chair, this is a priority. Therefore, I am pleased to report on the following initiatives:

- **New Website:** In April 2022, the CRT launched a completely new CRT website. We consulted with CRT staff and the public during development to ensure we met accessibility goals.
- **Early Resolution Team:** In 2022, the CRT began a pilot program to improve efficiency and participant experience in the dispute resolution process including triaging disputes for early resolution and helping identify participants who required additional attention or supports in the case management process. The pilot has now been made a permanent part of our case management process with an Early Resolution Team. As a result, a new position, Vice Chair of Escalations, was created to make preliminary decisions on issues identified by the team.
- **Navigator role:** The CRT has 2 staff members who act as Navigators for Indigenous participants who require additional information and support.
- **Outreach:** To serve all British Columbians, we conducted outreach initiatives, including:
 - Holding information webinars for advocates and legal professionals serving Indigenous and marginalized clients.
 - Participating in the BC Strata Tech Conference.
 - Providing videos about the CRT process on our website and our YouTube channel with a project to reproduce these videos in other languages. The multilingual videos will be a resource for those whose first language is not English.

Affordability and Efficiency:

Over the fiscal period, the CRT has been challenged with a significant increase in dispute volumes that has affected how quickly we can resolve disputes. We are addressing this challenge with increased staff resources and finding new efficiencies in our process (such as the Early Resolution Team and creating a Strata Settlement Conference Pilot project for strata disputes).

- New applications increased by 36.7%.
- 47.4% of disputes were resolved by consent or withdrawn (an increase of 3.5%). This is a significant increase as we continued active case management and dispute resolution but also started to incorporate triaging of disputes in the various streams.
- The average time to resolution for all dispute types increased to 108.4 days from 92.7 days in the previous fiscal year. The increase is due to increased dispute volumes and staff shortages. However, during this year's fiscal, I worked with the Ministry to simplify the hiring process, which allowed us to hire more staff to address the staffing shortage and increased dispute volumes. Those staff are now in place as we work to decrease backlogs in the process.
- Cost per dispute increased 17.3% largely because, for the first time, the CRT was required to assume the remaining amortization costs for the initial development of the tribunal's technology platforms (the Dispute Resolution Suite). In previous years, those costs had been carried under the Ministry's budget.

The CRT is uniquely positioned to adjudicate intimate image protection orders and claims under the *Intimate Images Protection Act*, and we are working hard to ensure we are ready with accessible and safe processes.

- Despite staff shortages, participant satisfaction remains strong with most CRT participants believing they were treated professionally and fairly.

Looking forward, I anticipate the following:

- **Efficiency/flexibility/affordability:** There will be continued challenges resulting from higher dispute volumes that are increasing due to more outreach and public education of our jurisdiction and processes to all British Columbians. In order to maintain our performance, I will continue to find opportunities in the case management process to improve efficiency, proportionality, flexibility, and increased resolutions.
- **Reconciliation:** Recommendations from our current Community Advisory Council will be published and I will work to ensure that those recommendations are implemented wherever possible.
- **Accessibility:** The CRT will continue the use of Community Advisory Councils with members of other equity seeking groups and stakeholders so we can better identify barriers and find ways to address them. In addition, our staff and tribunal members will be receiving implicit bias training. We also now have 2 Navigators on staff.
- **Representation:** I will continue the important work of improving diversity and inclusion by recruiting qualified staff and tribunal members from diverse backgrounds to ensure that we represent all British Columbians.
- **Intimate Images Protection Act:** The CRT is preparing for the addition of a new jurisdiction to the CRT: the *Intimate Images Protection Act*. The CRT is uniquely positioned to adjudicate intimate image protection orders and claims under this legislation, and we are working hard to ensure we are ready with accessible and safe processes. This includes implementing a new Solution Explorer, online application form, and adjudication process with specifically trained staff and tribunal members.

I want to recognize the assistance of the Tribunal and Agency Support Division of the Justice Services Branch in providing the required support to the CRT in meeting our challenges. Finally, I want to recognize the dedication of the CRT's staff and tribunal members, who, despite challenges, continue to provide professional and fair dispute resolution services to participants.

As Chair of the CRT, it is a privilege and honour to serve British Columbians in our unique role in the justice system. I am confident that we will continue to meet our challenges through continued innovation, engagement, and the support of our stakeholders.

Sincerely,



Simmi K. Sandhu
Chair
Civil Resolution Tribunal

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Purpose and Mandate

“The improvements in access to justice in British Columbia as a result of the tribunal’s jurisdiction has been nothing short of marvellous.”

- CRT Participant

“I could do it online from my office and home. It was easy to communicate and understand the procedure.”

- CRT Participant

The Civil Resolution Tribunal (CRT) is an independent, quasi-judicial tribunal operating under the authority of the *Civil Resolution Tribunal Act*. The CRT is Canada’s first online tribunal, providing end-to-end dispute resolution services for small claims up to \$5,000, certain vehicle accident disputes including entitlement to accident benefits and deciding responsibility for the accident, certain strata property disputes (of any amount), and certain disputes involving incorporated societies and cooperative associations.

We encourage a collaborative, problem-solving approach to dispute resolution, rather than the traditional courtroom model, by providing timely access to legal information, self-help tools, and dispute resolution services to help resolve claims as early as possible. If participants can’t reach an agreement by negotiation or facilitation, an independent tribunal member makes a binding decision, which can be enforced by a court.

Guiding Principles

The CRT is guided by 5 core principles to provide services in a manner that is: timely, flexible, accessible, affordable, and efficient.

Timely

Lengthy legal disputes can affect the physical, mental, and financial well-being of participants. This is why the CRT works to help people resolve claims as early in the process as possible.

The Solution Explorer is the first step in the CRT claims process. It asks simple questions and gives free customized legal information and options based on a person’s answers. Its self-help tools, like communication templates, might help people resolve their issue on their own. The Solution Explorer helps people better understand their legal issue and options before they spend time and money on making a claim.

From April 1, 2022 to March 31, 2023, the Solution Explorer was used 30,453 times. Notably only 24% of explorations resulted in a claim, which suggests the Solution Explorer may help participants resolve their disputes at an early stage.

In 2022/23, the CRT’s median time to resolution was 64.3 days. The average time to resolution for all dispute types increased from 92.7 days in 2021/22 to 108.4 days in 2022/23. The increase is due to increased dispute volumes and staff shortages. Time to resolution will continue to be a focus in coming years.

Flexible

The CRT encourages a collaborative approach to resolving disputes. We offer a range of tools and services to help participants resolve their dispute, with adjudication as a last resort. These include:

- The Solution Explorer, which gives free customized legal information and self-help options, online, 24 hours a day, 7 days a week
- Access to published CRT decisions, searchable by keyword
- An online negotiation tool for resolving disputes early by agreement
- A case manager to help participants try to reach an agreement
- A binding CRT decision from a tribunal member, if the participants can’t reach an agreement

Participants can access online services wherever and whenever they choose, 24 hours a day, 7 days a week.

Accessible

We work hard to ensure the CRT is accessible to everyone in British Columbia, regardless of their background or circumstances. Participants can access online services wherever and whenever they choose, 24 hours a day, 7 days a week. They can also access CRT services by email, mail, telephone, videoconference, or in-person at any of 65 Service BC locations in the province. In 2022/23 over 99% of participants have chosen to use the CRT's online services. However, providing online services is only one of the many ways we work to increase accessibility and inclusivity.

The CRT works with community legal advocates around the province who represent people with barriers to accessing the justice system. We ask them to test anything we develop that will be used by the public. We want to make sure the CRT works for our most vulnerable participants first and foremost. We are very grateful to these advocates who have volunteered their time, energy, and expertise to help us make the CRT as accessible as possible.

Inclusivity is a Core Value



Affordable

The CRT offers an affordable way to resolve disputes without needing a lawyer or attending court. The first step is the Solution Explorer, which gives free customized legal information and self-help tools online.

Like most courts and tribunals, the CRT charges fees for services. Our fees are staged, so participants only pay for the services they use. We also offer a \$25 discount for applications and responses submitted online. Since the response fee is \$25, responses submitted online are free.

If participants reach an agreement during the negotiation stage, we will refund the application fee.

Individuals with low income can ask the CRT for a “fee waiver”. In most cases, people don’t need to provide any additional documents to have their fee waiver application approved.

We expect most participants don’t incur any travel costs for their dispute, since CRT services are generally provided online or by phone, email, and mail.

Efficient

We focus on efficiency by automating business processes, actively case managing files to reduce delay, and continuously making improvements based on internal data and public feedback. We publish case volumes and participant satisfaction statistics every month on our website to increase accountability for our operations. See time to resolution statistics.

“I felt I had nowhere to turn for help in my dispute as I couldn’t afford a lawyer. The CRT was affordable and effective in settling my dispute.”

- CRT Participant



How the CRT Works

The CRT process has 4 main stages:

Apply or respond



Start with our Solution Explorer. It has free legal information and tools. Then make a claim or respond to a claim someone made against you.

Negotiation



Use our secure and confidential negotiation platform. You can talk through the issues in the claim and try to reach an agreement

Facilitation



If you can't negotiate a solution to your claim, a CRT case manager will help you try to reach an agreement. Your agreement can be turned into an enforceable order.

CRT decision



If you can't reach an agreement by negotiation or facilitation, an independent tribunal member will make a decision about your claim. A CRT decision can be enforced like a court order.

Territorial Acknowledgement

The CRT gratefully and respectfully acknowledges that our work spans across the ancestral territories of over 200 First Nations, as well as 39 Chartered Communities of the Métis Nation of BC.

We recognize that the historic relationship between Indigenous peoples and the land continues today, and we are thankful our work can reach people across all these lands.

This document was inspired, created and published on the ancestral territory of the Coast Salish peoples including the territories of the Songhees, Esquimalt, WSÁNEĆ, x^wməθk^wəyəm (Musqueam), Skwúwúmesh (Squamish), and səliíwətaʔ4 (Tsleil-Waututh) Coast Salish peoples.



Highlights from 2022/2023



The CRT is committed to reconciliation with Indigenous Peoples. We acknowledge the historical and ongoing impacts of systemic racism, colonialism, and the residential school system on Indigenous Peoples. We also recognize the resulting trauma, limited access to justice, and barriers to Indigenous representation.

Reconcili(action) Plan

On March 29, 2021 we launched our *Reconcili(action) Plan 2021-2024*. This plan sets out our commitment to implement specific, measurable, and timely actions toward reconciliation with Indigenous Peoples. The plan includes 42 short and long-term actions to better serve Indigenous Peoples throughout the CRT process.

We prioritized 6 action items for 2022-2023 (actions 6, 10, 12, 13, 16, and 28).

Hiring Process and Equitable Opportunities

We recognize the importance of culturally appropriate hiring processes and providing equitable opportunities to Indigenous applicants to be successful in CRT job competitions. To reflect this goal, we include a preference statement for Indigenous applicants in our job postings. To make job opportunities more accessible, we share the job postings with various groups such as Indigenous friendship centers, communities, and legal services for Indigenous peoples including posting positions through the Victoria Native Friendship centers. Work is in progress to incorporate interview questions and strategies in our hiring process to make it more accessible for Indigenous people.

Work is ongoing to expand our contact list of organizations to share job postings and to host information sessions for Indigenous people about the CRT's operations, job opportunities and the hiring process.

Accessibility

The CRT has optimized its website and technology platforms for smartphones and other devices to make it easier to access information and forms. Paper forms are available to remove barriers for those in areas of BC that have poor cellular and internet service.

The CRT's website includes information about the dispute resolution process and procedures in written and video formats to serve Indigenous people and the general public.

Community Advisory Council

To seek recommendations for improving public-facing information and processes, the CRT established a Community Advisory Council (CAC) in March 2023. The council is made up of 6 individuals from Indigenous communities, including lawyers and educators. It also includes 7 individuals from the CRT, including the Chair, a Vice-Chair, the Executive Director and Registrar, legal counsel, and 3 staff members.

The council held its first meeting on April 26, 2023 to provide information to the members and review objectives. The CAC will convene again in June 2023 to continue its discussions and establish priorities. The CAC plans to meet 4 or 5 times throughout the year.



"I found the CRT to be quite helpful in guiding me through the process...it was a positive experience, I felt heard."

- CRT Participant

Highlights from 2022/2023

"The website info was clear and the process reasonably easy to follow."

- CRT Participant

"Updates made to the platform in the past year have made the process easier. It was easy to receive help from the CRT when needed."

- CRT Participant

Accessibility: New CRT Website

In April 2022, we launched a completely new CRT website. The site was designed with information accessibility in mind: a balance of text and visuals, built-in Google Translate functionality to support many languages, and thoughtful design elements such as font sizes and colours. The service design goals of the new site were to make key information easy to find, present all information in plain and accessible language, and to manage expectations for the public and participants about different aspects of the CRT process. We consulted with CRT staff and the public during development to ensure we met these goals.

Early Resolution Pilot Program

In May 2022, the CRT began a pilot program to improve efficiency and participant experience in the dispute resolution process. The Early Resolution Pilot Program assisted participants by identifying claims which required additional attention before they began the case management process. This included identifying claims which might have been outside the CRT's jurisdiction, or required amendments to the participant names or the requested resolutions before moving forward. Sometimes, participants needed some help identifying and discussing these issues before they could decide how they wanted to move forward.

The Early Resolution Pilot contacted participants to offer assistance and to discuss possible options with them, including withdrawing or amending their claims. Addressing these issues early helped to streamline the process and reduce delays in the case management stage. The pilot could also assist participants who had reached an agreement and needed help finalizing the settlement terms before closing their claim.

In response to the success of the pilot program, the CRT has created a permanent Early Resolution Team and a Vice Chair - Escalations.

Outreach to Marginalized Populations

The CRT's Chair often speaks at events and conferences about the CRT's history, jurisdiction, dispute resolution process, and online tools. In an effort to reach a broader audience, the CRT hosted its first webinar "The Civil Resolution Tribunal: Who we are and what we do" in February 2023. Attendees included advocates and legal professionals serving Indigenous and marginalized populations as well as members of the general public. We plan to host more webinars in the coming year.

The CRT also participated in the BC Strata Tech Conference. The CRT's demonstration showed strata owners how to use the CRT's Solution Explorer and make use of its communication templates and tools any time they wish.

The CRT's YouTube channel features short videos in English to help the public learn about the CRT's jurisdiction, how to apply, and how the CRT process works. The CRT communications team began a project in March 2023 to reproduce these videos in other languages to better serve British Columbians whose first language is not English. When completed the videos will be organized into playlists for Cantonese, Mandarin, Punjabi, and Tagalog audiences.

Highlights from 2022/2023

The commitment to continuous improvement is evidenced by the input, feedback, and suggestions from our employees and tribunal members.

Operational Response to Conclusion of Constitutional Challenge

As reported in the CRT's 2021/22 Annual Report, the CRT's jurisdiction over deciding whether an injury was minor and determining liability and damages was challenged in the courts. In May 2022, the BC Court of Appeal affirmed the CRT's jurisdiction over these disputes, and in December 2022, the Supreme Court of Canada declined to hear an appeal. See a summary of the related court decisions.

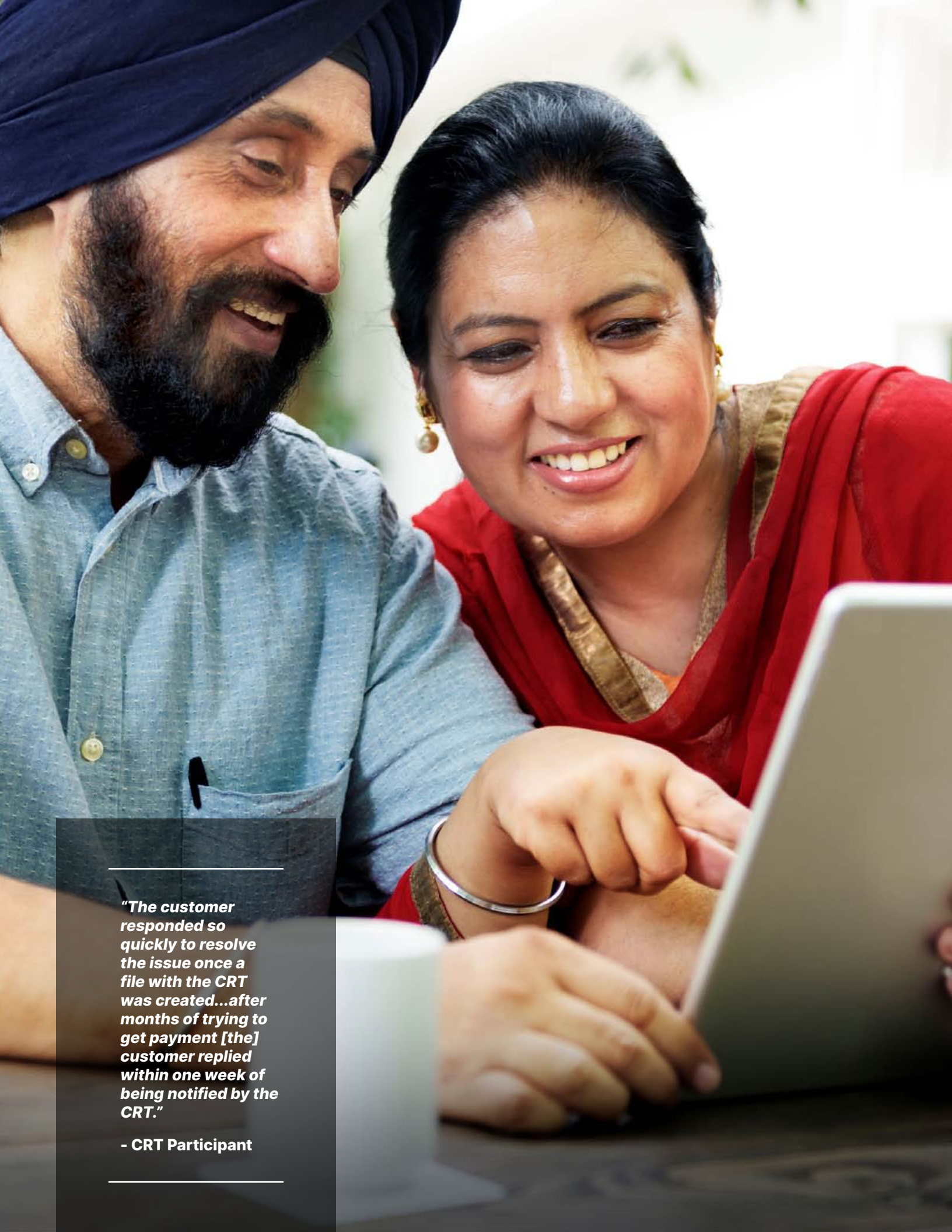
The CRT let the public know that the jurisdictional question was settled through social media and blog posts. The CRT's website was updated accordingly including an infographic to explain the CRT's jurisdiction for all types of motor vehicle accident claims. This information was also emailed to over 350 legal advocates including those assisting Indigenous peoples.

Some applicants who had already started CRT claims, had put their disputes on hold waiting for the court to make a decision. The CRT contacted them to provide them with options to withdraw their claim or continue with the CRT's dispute resolution process. There was a significant increase in new applications for motor vehicle injury (MVI) claims after December 2022.

Staff Engagement

While the CRT relies heavily on technology, the most significant contributors to the CRT's success are its people – the employees and members. Staff provide user-focused service to our participants and constantly find ways to improve that service.

Team building is fostered through social events and a staff newsletter. Town halls are held a few times per year to share information, inspire, and engage. The commitment to continuous improvement is evidenced by the input, feedback, and suggestions from our employees and tribunal members.



"The customer responded so quickly to resolve the issue once a file with the CRT was created...after months of trying to get payment [the] customer replied within one week of being notified by the CRT."

- CRT Participant

BC Court Decision Summaries



This section contains summaries of select court decisions involving CRT decisions or the *Civil Resolution Tribunal Act*. It primarily includes decisions released by the court between April 1, 2022 and March 31, 2023. This section also includes significant cases that were released by the court before the publishing of this annual report.

Part 1: Judicial Reviews

The Owners, Strata Plan VR 1120 v. Mitchinson, 2022 BCSC 2054

This decision followed a petition for judicial review of a CRT decision. This was the second hearing of the judicial review by the BC Supreme Court (BCSC), as the first BCSC decision was appealed and remitted back to the BCSC for a new determination.

The CRT dispute was brought by an owner of a strata lot against the strata corporation. At the time, the strata was involved in a BC Human Rights Tribunal (HRT) complaint. The owner was not a party to the complaint and wanted the strata to provide him with copies of legal opinions about the HRT complaint.

The CRT considered the *Strata Property Act* provisions regarding access to strata records and ordered the strata to provide legal opinions to the owner. The CRT also ordered the owner not to share or discuss the legal opinions with anyone else.

In the judicial review, the strata argued that the CRT did not have jurisdiction and the strata did not have to provide legal opinions to the owner due to solicitor-client privilege.

The court found that the CRT did have jurisdiction over the dispute. The fundamental issue raised in the judicial review was about the proper interpretation of the *Strata Property Act* provisions relating to the disclosure of legal opinions obtained by the strata. The court considered the parties' submissions on the importance of solicitor-client privilege and found that the appropriate interpretation of the *Strata Property Act* provisions was that legal opinions obtained by the strata corporation should not be disclosed until the contemplated or ongoing dispute is fully resolved.

The court set aside the CRT decision and substituted its own decision, ordering the strata to provide the legal opinions to the owner once the HRT matter had been completely settled and all avenues of appeal were exhausted.

Cheikes v. BM Clubhouse 40 Ltd., 2023 BCSC 14

This decision followed a petition for judicial review of a CRT summary decision dismissing the applicants' claims for lack of standing.

The CRT dispute was brought by 3 strata owners. They alleged that the respondent commercial strata lot owner inappropriately monetized the 2 strata lots that it owned, and limited access by other strata owners. The applicants claimed that they had a beneficial interest in the 2 commercial strata lots and that the lots were for their and other owners' use. The CRT dismissed the applicants' claim on the grounds that they did not have standing: such a claim had to be brought by the strata corporation, not individual owners. The CRT did not address the question of whether the dispute was within its strata property jurisdiction, as it had already dismissed the claim on the standing issue.

The applicants petitioned for judicial review of the CRT decision. They claimed that the CRT incorrectly analyzed their position, and that the *Strata Property Act* gave them standing.

BC Court Decision Summaries



The court held that it was not patently unreasonable for the CRT to waive the hearing requirement, as requiring the applicant to request a strata council hearing before adjudicating the dispute would have wasted time and resources and would be contrary to the CRT's mandate to resolve disputes in an accessible and economical manner.

In the judicial review, the court noted that the CRT should have determined whether it had jurisdiction first, before deciding the question of standing. However, the court concluded that the matter was within the jurisdiction of the CRT so it could decide the standing issue.

The court found the CRT's analysis about the owners' standing was not patently unreasonable, as individual owners generally do not have the right to bring claims against other owners. The court also found that while the *Strata Property Act* gives owners a procedural right to bring claims, that is not the same as giving them legal standing. For these reasons, the court dismissed the petition and upheld the CRT decision.

The Owners, Strata Plan VR320 v. Day, 2023 BCSC 364

This decision followed a petition for judicial review of a CRT decision ordering a strata corporation to return special levy funds paid by the applicant owner.

The claim centred on a special levy that was passed at an annual general meeting (AGM) that the applicant owner said was invalid. The strata held another AGM approximately 5 months later, at which a new resolution was passed approving the special levy. The owner had sold his strata lot in the time between the 2 meetings, but the strata deducted the special levy amount from the proceeds of the sale.

The strata argued that the special levy was valid, and that the claim should be dismissed because the owner did not request a council hearing before starting the dispute, which is required by the *Strata Property Act* unless the requirement is waived by the CRT.

The CRT inferred that the owner had requested a waiver and so the CRT did waive the hearing requirement. The CRT also decided that the owner should receive a full refund for the special levy fees, as he no longer owned the strata lot by the second AGM and the resolution at the second AGM made no mention of retroactive application.

The strata petitioned for a judicial review, alleging that the CRT's conclusions about the interpretation of the resolution and the strata's position were patently unreasonable. The strata also argued that the CRT should not have waived the hearing requirement.

The court held that the CRT's interpretation of the resolution in the second AGM was not patently unreasonable. The court found that while it may have been within the jurisdiction of the CRT to declare the AGM legally invalid, such a declaration would not change the outcome, so the declaration was unnecessary.

The court also held that the CRT's characterization of the strata's position was not patently unreasonable as it was logical and rational for the CRT to infer that the strata did not dispute issues on which it had not taken a position. Finally, the court held that it was not patently unreasonable for the CRT to waive the hearing requirement, as requiring the applicant to request a council hearing before adjudicating the dispute would have wasted time and resources and would be contrary to the CRT's mandate to resolve disputes in an accessible and economical manner.

The court ultimately found no reason to interfere with the CRT decision and dismissed the strata's petition.

BC Court Decision Summaries



Downing v. Strata Plan VR2356, 2022 BCSC 590

This petition for judicial review by the BC Supreme Court (BCSC), followed a CRT decision that dismissed a strata owner's claims against the strata corporation about a water leak in her unit.

In the CRT dispute, the applicant owner brought claims based in alleged trespass, nuisance, negligence, and unfair treatment by the strata corporation because the strata entered her strata lot to assess and repair water damage. The owner denied giving permission to the strata to do so, and claimed the work prevented her from selling her unit. The CRT dismissed all the owner's claims.

The owner petitioned the BCSC for a judicial review, claiming the CRT's conclusion that she failed to prove trespass and negligence was patently unreasonable, and that the CRT process was procedurally unfair.

The court found that the CRT was not patently unreasonable in deciding that the owner failed to prove trespass and negligence. The court noted that there was some merit to parts of the procedural fairness complaints, primarily regarding the CRT's acceptance of expert evidence despite some parts of the CRT Rules not being followed. However, the court decided that this did not have any significant impact on the CRT process. The court also found that the CRT's restrictions on the length of written submissions, and its decision not to hold an oral hearing, were not procedurally unfair given the CRT's mandate to resolve disputes in a manner that is accessible, speedy, economical, informal, and flexible. The court dismissed the judicial review petition. This decision was then appealed to the BC Court of Appeal (BCCA), as noted below.

Downing v. Strata Plan VR2356, 2023 BCCA 100

This appeal followed the above judicial review by the BC Supreme Court, decision dismissing the petition for judicial review. As the owner had passed away, her estate brought the appeal.

The owner's estate argued that the trial judge erred in applying the standard of review. It also made similar arguments as in the judicial review proceeding, including that the CRT's process was unfair and that the CRT made errors in applying the law about negligence and trespass.

The BC Court of Appeal held that the CRT's discretion to decide whether an oral hearing or cross-examination are necessary reflected a policy decision of the legislature in balancing efficiency with fairness. The court found that it is not always necessary to permit cross-examination where there are conflicts in the evidence, and that there was no error in how the CRT addressed such conflicts in its decision.

The court also found that the disputed expert evidence did not have any significant impact on the outcome of the dispute, as it only confirmed what had already been established by other evidence.

Finally, the court found that the CRT's analysis of the negligence claim was not patently unreasonable, as its conclusion that the strata had acted reasonably upon professional advice was founded on the evidence. The court therefore dismissed the appeal.

BC Court Decision Summaries



In December 2022, the Supreme Court of Canada dismissed the Trial Lawyers Association’s application for leave (or permission) to appeal the BC Court of Appeal decision about the CRT’s accident claims jurisdiction.

Dolnik v. The Owners, Strata Plan LMS 1350, 2023 BCSC 113

This decision followed a petition for judicial review of a CRT decision, in which the CRT dismissed an owner’s claims against her strata corporation.

The CRT dispute concerned claims made by the owner in relation to water leaks in her strata lot. The owner sought damages against the strata for alleged negligence, breach of contract, and significant unfairness. The CRT found that the strata’s actions were reasonable, and dismissed her claims.

The owner petitioned for judicial review, alleging that the CRT’s decision was flawed and that she was denied procedural fairness.

The court dismissed the owner’s arguments about the CRT’s conclusions on the negligence and breach of contract claims. The court also found that she was not denied procedural fairness. However, the court agreed with the owner that the CRT’s significant unfairness analysis was flawed because it did not adequately address the legal test for significantly unfair actions.

The court therefore ordered that the dispute be returned to the CRT to reconsider the significant unfairness analysis.

Part 2: Other Relevant Court Decisions

Trial Lawyers Association of British Columbia v. British Columbia (Attorney General), 2022 BCCA 163

This appeal followed a BC Supreme Court (BCSC) decision declaring parts of the CRT’s vehicle accident claims jurisdiction unconstitutional and of no effect.

The BCSC decision struck down the CRT’s jurisdiction to decide whether injuries as a result of a motor vehicle accident are “minor”, and to adjudicate claims about liability and damages of up to \$50,000. The court found that these areas of jurisdiction were the responsibility of the superior courts at the time of Confederation, and that granting the CRT the authority to determine these claims was effectively taking that authority from the superior courts.

The BC Attorney General appealed the BCSC decision, arguing that the BCSC erred in its historical analysis of Superior Court jurisdiction at the time of Confederation. The Attorney General also argued that the legislation did not invade the core jurisdiction of the superior courts, according to a legal test that had recently been developed by the Supreme Court of Canada.

The BC Court of Appeal (BCCA) allowed the appeal and found the legislation constitutional, based on the historical analysis of the character of superior courts, and the societal objectives of the legislation. The court found that the jurisdiction of the superior courts was not affected, as the BCSC still retained significant involvement in personal injury claims and motor vehicle accident claims.

Trial Lawyers Association of British Columbia, et al. v Attorney General of British Columbia, et al., 2022 CanLII 121522 (SCC)

In December 2022, the Supreme Court of Canada (SCC) dismissed the Trial Lawyers Association’s application for leave (or permission) to appeal the BC Court of Appeal (BCCA) decision about the CRT’s accident claims jurisdiction. This means that the SCC will not hear the appeal, and the BCCA decision is final.

As a result, the CRT maintains the authority to determine whether an injury is a “minor injury”, and to decide claims about liability and damages of up to \$50,000.

Update on Legislation and Regulations



On September 1, 2022, amendments to the CRTA came into force to give the CRT jurisdiction to decide claims about ICBC's assessment of a person's responsibility for a vehicle accident.

Amendments to the *Civil Resolution Tribunal Act*

Notice of Objection Repealed

On July 1, 2022, amendments to the *Civil Resolution Tribunal Act* (CRTA) came into force. These amendments eliminated the previous Notice of Objection process for small claims decisions. The former process allowed a dispute participant who disagreed with their CRT small claims decision to file a Notice of Objection, cancelling the CRT decision. The participants could then restart the dispute in BC Provincial Court.

For small claims decisions issued on or after July 1, 2022, the Notice of Objection process is no longer available to participants. As a result, the only legal option available to parties who disagree with a final CRT decision of any type is judicial review by the BC Supreme Court.

Accident Responsibility Jurisdiction

On September 1, 2022, amendments to the CRTA came into force to give the CRT jurisdiction to decide claims about ICBC's assessment of a person's responsibility for a vehicle accident. Drivers who disagree with ICBC's responsibility assessment may now ask the CRT to decide responsibility for an accident, without making a claim for monetary compensation.

Intimate Images Protection Jurisdiction

Bill 12 – Intimate Images Protection Act (IIPA) was passed on March 30, 2023. It is not yet in force, and will be brought into force by regulation. Once in force, the IIPA will give the CRT jurisdiction to make certain orders about intimate images, which include nude, near-nude or otherwise sexual pictures and videos. The CRT will be able to make orders to stop someone from distributing or threatening to distribute such images, and will also be able to order monetary compensation to someone whose intimate images have been distributed without their consent.



"I found this process extremely efficient, clear, and effective...I'm very impressed by this process and hope other provinces follow BC's example."

- CRT Participant

Appendix A



The Solution Explorer was used 228,883 times from July 13, 2016 to March 31, 2023.

Statistics

Part 1: Solution Explorer Volumes

The Solution Explorer is the first step in the CRT claims process. This online tool asks simple questions and gives free customized legal information and options based on a person's answers. Its self-help tools, like communication templates, might help people resolve their issue on their own. Using the Solution Explorer is free and anonymous. The Solution Explorer will classify the issue and give the applicable claim application form.

From April 1, 2022 to March 31, 2023, the Solution Explorer was used 30,453 times, a decrease of 19.7% from 2021/22.

Overall, 24% of Solution Explorer explorations resulted in a participant making a claim (7,260 applications) compared to 14% in 2021/22. There were 2,795 motor vehicle injury (MVI) explorations and 1,385 claims (49.5%). The ratio of claims to explorations is higher for MVI claims, because the applicant conducts just one exploration, but the CRT divides the application into separate claims for: minor injury determination, liability and damages of up to \$50,000, and accident benefits.

Solution Explorer Explorations	2023	2022	2021	Previous Years	Total
Small Claims	17,098	21,625	30,075	75,699	144,497
Strata	7,098	9,067	9,303	30,584	56,052
Motor Vehicle Injury	2,795	3,144	5,599	6,714	18,252
Accident Benefits and Accident Responsibility	2,627	2,922	-	-	5,549
Societies and Cooperative Associations	835	1,145	1,533	1,020	4,533
Total Solution Explorer Explorations	30,453	37,903	46,510	114,017	228,883

Notes: Graphs and tables throughout this report include columns by fiscal year.

In each instance:

- 2023 includes relevant data from April 1, 2022 to March 31, 2023
- 2022 includes relevant data from April 1, 2021 to March 31, 2022
- 2021 includes relevant data from April 1, 2020 to March 31, 2021
- Previous years is the total of: July 13, 2016 to March 31, 2017; April 1, 2017 to March 31, 2018; April 1, 2018 to March 31, 2019; and April 1, 2019 to March 31, 2020

Appendix A



"I like that it was all online, with good resources overall, both in terms of the articles and the support clerks."

- CRT Participant

Statistics

Part 2: Dispute Volumes

New Applications, By Claim Type

From April 1, 2022 to March 31, 2023, we received 7,260 claim applications. This represents a 36.7% increase in claim applications received for the same period last year. The volume of applications increased for all types of claims:

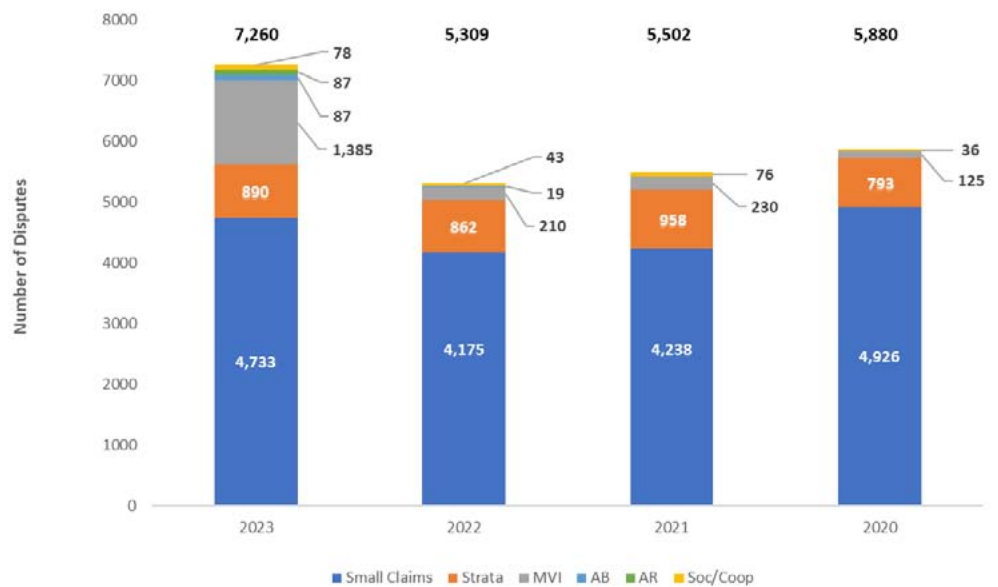
- 13.4% (558 applications) for small claims
- 3.3% (28 applications) for strata property claims
- 559.5% (1,175 applications) for motor vehicle injury (MVI) claims
- 357.9% (68 applications) for accident benefits (AB) claims
- 81.4% (35 applications) for society and cooperative association claims

There were 87 applications for accident responsibility (AR) claims.

As previously discussed, applications regarding vehicle accident claims increased significantly following the conclusion of the constitutional challenge regarding the CRT's jurisdiction to decide certain vehicle accident claims.

We expect the number of claim applications to grow as more British Columbians become aware of the CRT and our online dispute resolution services regarding accident benefit and accident responsibility claims.

New CRT claim applications, fiscal years 2020-2023



Notes: Graphs and tables throughout this report include columns by fiscal year. In each instance:

- 2023 includes relevant data from April 1, 2022 to March 31, 2023
- 2022 includes relevant data from April 1, 2021 to March 31, 2022
- 2021 includes relevant data from April 1, 2020 to March 31, 2021
- 2020 includes relevant data from April 1, 2019 to March 31, 2020

Appendix A



"It does give the opportunity to present both sides involved, facilitate, and continue further as required."

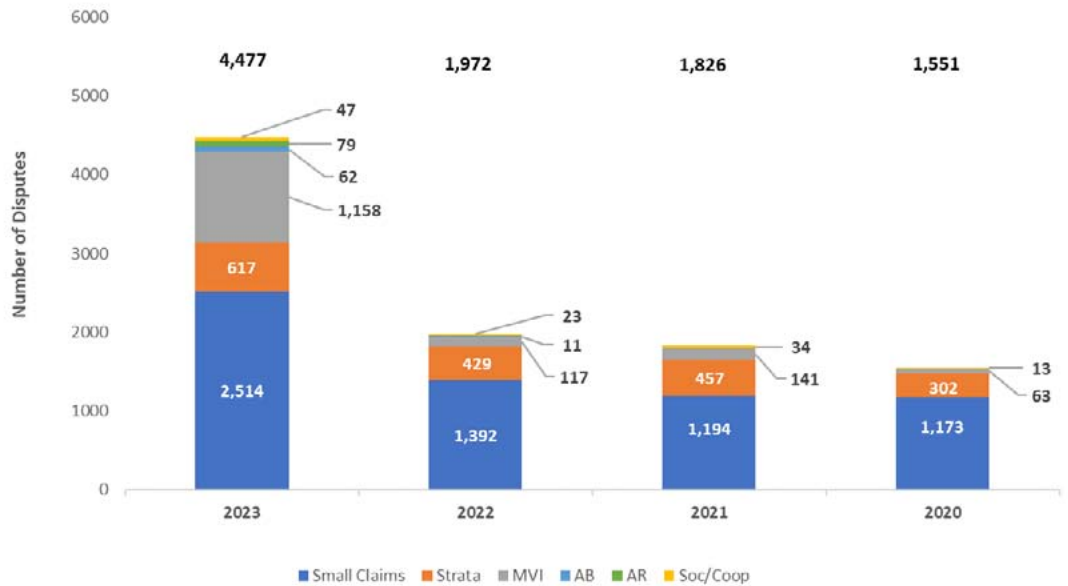
- CRT Participant

Statistics

Open Disputes

As of March 31, 2023 we had 4,477 open disputes. This represents a 127% increase from March 31, 2022. The increase in open disputes is due to the significant increase in motor vehicle accident claims and labour shortages, which prevented the CRT from hiring additional staff to support the increased dispute volumes.

Number of open CRT disputes at the end of each year



Notes:

- Open disputes at the end of each year are the total number of open disputes as of March 31 of 2023, 2022, 2021, and 2020 respectively.
- Disputes on hold as of March 31, 2023, 2022, 2021, and 2020 were: 97, 121, 123, and 52 respectively.
- Motor vehicle injury (MVI) disputes on hold as of March 31, 2023, 2022, 2021, and 2020 were: 66, 76, 56, and 5 respectively. The increase in 2021/22 is due to certain disputes being paused on March 3, 2021. See the relevant court decisions on page 14.

Appendix A



"It gave us the opportunity to have an impartial decision on a strata issue without having to go to court."

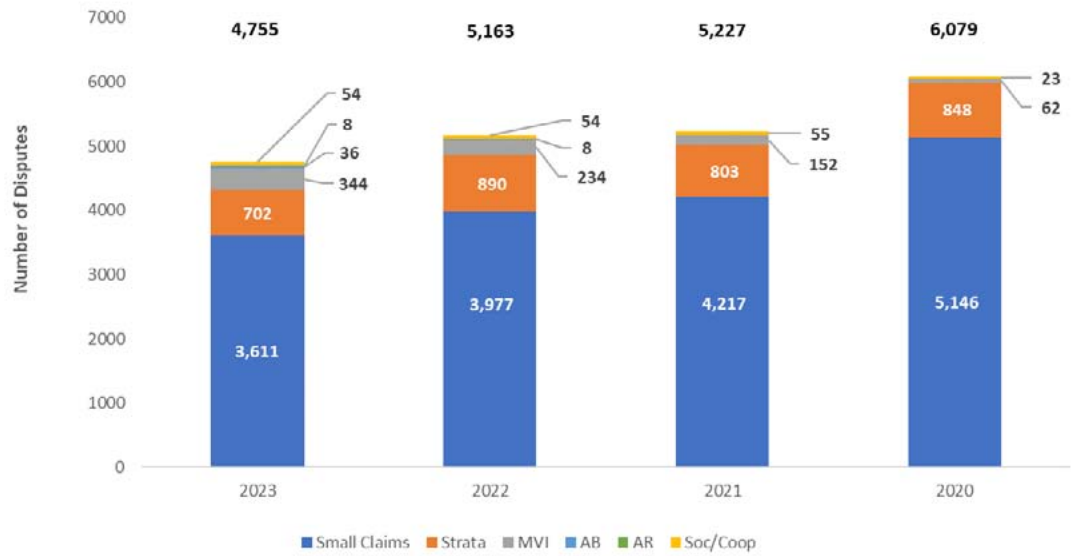
- CRT Participant

Statistics

Disputes Closed

Between April 1, 2022 and March 31, 2023, we closed 4,755 disputes. This represents a 7.9% decrease in the number of disputes closed during the same period last year. The decrease is due to staffing shortages.

CRT disputes closed





"Our case manager was excellent at educating us and the other participants in how the whole process works and in the end the case was resolved with a voluntary agreement."

- CRT Participant

Appendix A



In 2022/23
47% of claims
were resolved
by consent or
withdrawn.

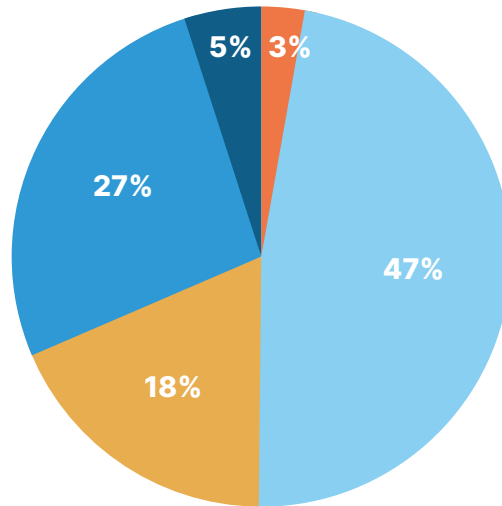
Statistics

Part 3: Dispute Outcomes

The following table shows the outcomes of the 4,755 disputes closed between April 1, 2022 and March 31, 2023, compared with previous years.

Outcome	2023	2022	2021	Previous Years	Total
1. CRT Refused to Accept	133	293	204	602	1,232
2. Resolved by Consent/Withdrawn	2,252	2,265	2,210	5,221	11,948
3. Default/Non-Compliance	874	1,046	1,116	4,949	7,985
4. Final Decision	1,259	1,289	1,438	2,917	6,903
5. Refused to Resolve/Other	237	270	259	810	1,576
Total	4,755	5,163	5,227	14,499	29,644

Dispute Outcomes



- CRT Refused to Accept
- Resolved by Consent/Withdrawn
- Default/Non-Compliance
- Final Decision
- Refused to Resolve/Other

Appendix A



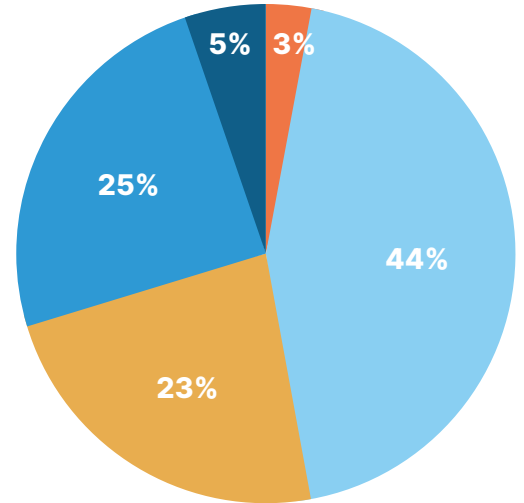
In 2022/23 25% of small claims required a tribunal decision.

Statistics

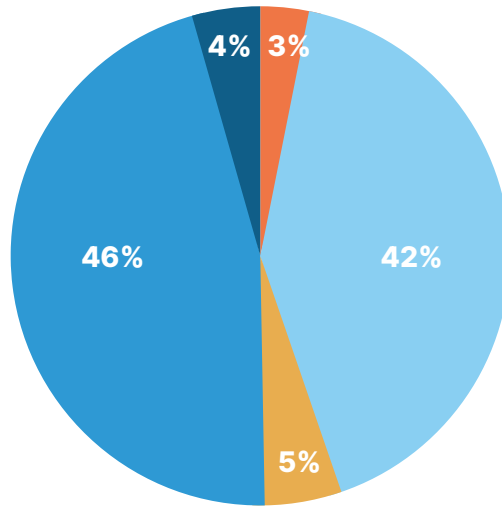
Dispute Outcomes 2023

- CRT Refused to Accept
- Resolved by Consent/Withdrawn
- Default/Non-Compliance
- Final Decision
- Refused to Resolve/Other

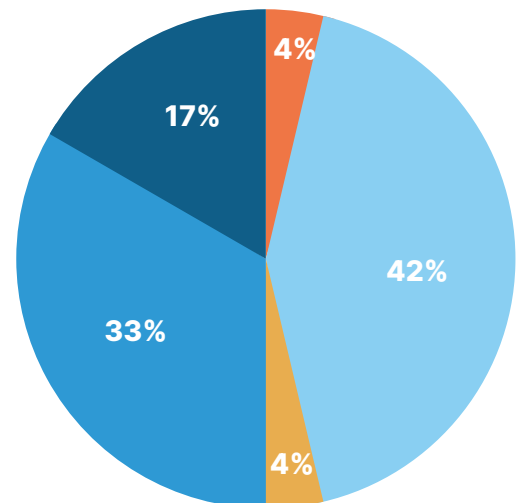
Small Claims



Strata



Societies and Cooperative Associations



Appendix A



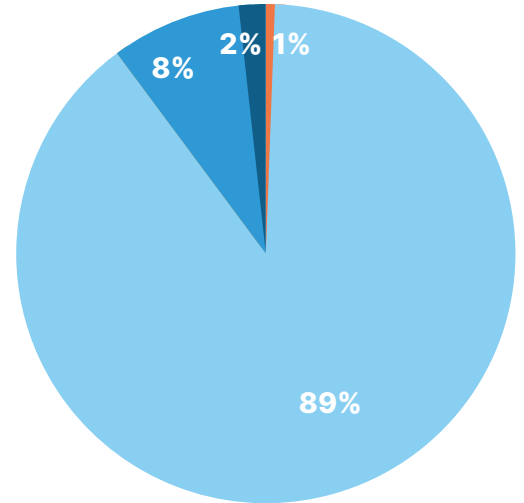
In 2022/23 most motor vehicle accident claims were resolved by consent or withdrawn.

Statistics

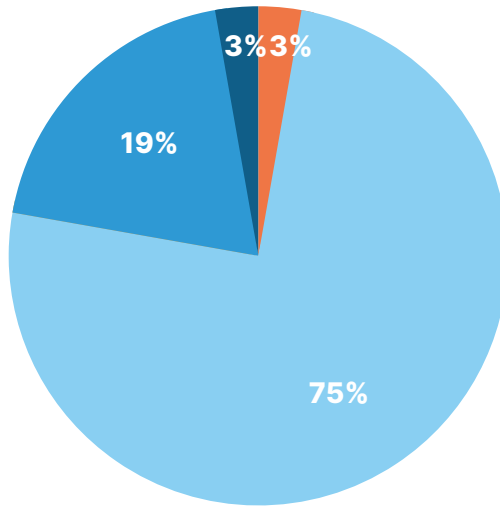
Dispute Outcomes 2023

- CRT Refused to Accept
- Resolved by Consent/Withdrawn
- Default/Non-Compliance
- Final Decision
- Refused to Resolve/Other

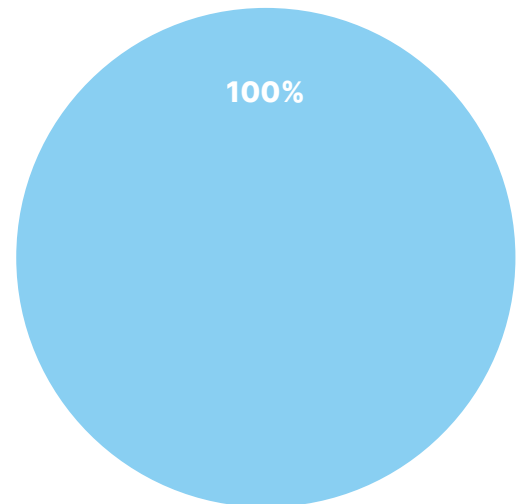
Motor Vehicle Injury



Accident Benefits



Accident Responsibility



Appendix A



In 2022/23 only 2.8% of applications were found to be outside the CRT's jurisdiction at the time the application was received.

Statistics

Outcome 1: CRT Refused to Accept

If the CRT considers a claim application falls outside the tribunal's jurisdiction, we will not accept it. During the period April 1, 2022 to March 31, 2023, only 2.8% (133) applications were found to be outside our jurisdiction at the time the application was received.

We provide information about the CRT's jurisdiction through the free Solution Explorer. If an application is made for issues outside the CRT's jurisdiction, we advise applicants of this fact and notify them that they can either withdraw their application and receive a refund of their application fee, or make submissions on why they believe it is in jurisdiction. If an applicant makes submissions, the issue is escalated to a tribunal member for a decision. If the tribunal member finds it is not in the CRT's jurisdiction, the application fee is generally not refunded.

CRT Refused to Accept	2023	2022	2021	Previous Years	Total
Small Claims	106	255	156	494	1,011
Strata	22	34	32	94	182
Motor Vehicle Injury	2	2	7	7	18
Accident Benefits	1	1	-	-	2
Accident Responsibility	-	-	-	-	-
Societies and Cooperative Associations	2	1	9	7	19
Total Refused to Accept	133	293	204	602	1,232

Appendix A



“[The process] provided a framework to discuss differences of opinion with the other party. It allowed me to see the party’s side of the situation and move to an agreement.”

- CRT Participant

Statistics

Outcome 2: Resolved by Consent/Withdrawn

We encourage a collaborative approach to resolving disputes. Participants who reach agreements are generally more satisfied with the outcome of their dispute than where a tribunal or court issues a binding decision. Participants typically withdraw their claim when they settle it without the need for a CRT decision or order. If all the participants agree on a way to resolve the claim, we can turn the settlement terms into an official consent resolution order that can be enforced by a court.

In 2022/23, 47.4% (2,252) of claims were resolved by consent or withdrawn. That is a 3.5% increase over 2021/22 and represents a significant percentage of all CRT disputes closed during the year. We continue to improve our processes and approach to help participants reach an agreement as early as possible, relying on adjudication as a last resort.

Resolved by Consent/Withdrawn	2023	2022	2021	Previous Years	Total
Small Claims	1,595	1,637	1,737	4,253	9,222
Strata	292	405	350	904	1,951
Motor Vehicle Injury	307	195	98	52	652
Accident Benefits	27	7	-	-	34
Accident Responsibility	8	-	-	-	8
Societies and Cooperative Associations	23	21	25	12	81
Total Resolved by Consent/Withdrawn	2,252	2,265	2,210	5,221	11,948



"I liked not having to actually go to court and being able to do this from home at my own speed."

- CRT Participant

Appendix A



Statistics

Outcome 3: Default/Non-Compliance

After an applicant makes a claim and the respondent has been served with a Dispute Notice, the respondent must file a response with the CRT. If the respondent doesn't submit a response form by the deadline, the applicant can ask the CRT for a default decision. A default decision is a final decision made by the CRT without the respondent's participation.

If a participant fails or refuses to comply with the *Civil Resolution Tribunal Act*, the CRT rules, or an order of the tribunal, we may take steps to address this non-compliance. A case manager may refer the non-compliance to a tribunal member, who may:

- a) decide the dispute in accordance with the rules,
- b) dismiss the claims made in the dispute by the non-compliant participant, or
- c) refuse to resolve the claims of the non-compliant participant or refuse to resolve the whole dispute.

In 2022/23, 18.4% (874) of disputes resulted in a default or non-compliance decision. In the past few years, we have taken steps to improve participation rates for respondents and reduce the proportion of claims resolved by a default decision.

Our default rate decreased:

- For small claims from 39% in 2018/19, to 23% in 2022/23
- For strata claims from 12% in 2018/19 to 5% in 2022/23

The CRT made 2 default decisions in society and cooperative association claims in 2022/23. There were no default decisions in any vehicle accident claims in 2022/23.

Respondent participation rates will continue to be an area that we focus on improving in future years.

Default/Non-Compliance	2023	2022	2021	Previous Years	Total
Small Claims	837	988	1,048	4,705	7,578
Strata	35	54	62	242	393
Motor Vehicle Injury	-	3	5	1	9
Accident Benefits	-	-	-	-	-
Accident Responsibility	-	-	-	-	-
Societies and Cooperative Associations	2	1	1	1	5
Total Default/Non-Compliance	874	1,046	1,116	4,949	7,985

Requests to Cancel a Default or Non-Compliance Decision	2023	2022	2021	Previous Years (2020)	Total
Requests Approved (returned to CRT process)	51	72	48	38	209
Requests Denied	16	46	81	83	226
Total Decisions on Requests to Cancel	67	118	129	121	435

Appendix A



“Excellent framework for pursuing legal action inexpensively. [It] encourages the applicant to carefully consider the objective and present the case clearly.”

- CRT Participant

Statistics

Outcome 4: Final Decision

The negotiation stage starts after the respondents reply to the claim. If participants can't come to an agreement during negotiation, or with the help of a case manager during facilitation, the next stage is a CRT final decision.

When participants request a CRT decision, we create a Tribunal Decision Plan, directing the participants to upload their evidence and submit their arguments using their CRT Account to access the secure, online portal. A tribunal member conducts a hearing. Most CRT hearings are held in writing, but a tribunal member can decide to hold an oral hearing. After the hearing, the tribunal member makes a decision based on the law, and the evidence and arguments from the participants. Tribunal members are independent legal experts. CRT decisions and orders are binding and enforceable, just like a court order.

During the period April 1, 2022 to March 31, 2023, 26.5% (1,259) of claims were resolved with a CRT final decision. The number of final decisions remained steady decreasing only 2.3% from 2021/22. This number continues to reflect the generally high success rate of the negotiation and facilitation stages, as well as the significant volume of default decisions.

However, the proportion of disputes resolved by a final decision varies significantly depending on the type of claim. Only 8.4 % of motor vehicle injury claims required a final decision, compared with 24.5% of small claims disputes, 33.3% of society and cooperative association claims, and 45.9% of strata claims. There were 7 decisions for accident benefits claims during the year, and no decisions for accident responsibility claims.

Final Decision	2023	2022	2021	Previous Years	Total
Small Claims	883	892	1,026	2,063	4,864
Strata	322	350	359	854	1,885
Motor Vehicle Injury	29	26	38	-	93
Accident Benefits	7	-	-	-	7
Accident Responsibility	-	-	-	-	-
Societies and Cooperative Associations	18	21	15	-	54
Total Final Decision	1,259	1,289	1,438	2,917	6,903

Appendix A



Statistics

Outcome 5: Refused to Resolve

In 2022/23, 5% of disputes were closed because we refused to resolve the claim. In most of these disputes, the applicant failed to provide required information, did not comply with the CRT rules, or refused to follow directions issued by the CRT. We may also refuse to resolve a claim that is outside the tribunal's jurisdiction.

The relatively low number of claims which we refused to resolve indicates that applicants generally comply with our directions. It also demonstrates that the initial screening of applications is effective in identifying jurisdictional issues early in the dispute resolution process.

Refused to Resolve	2023	2022	2021	Previous Years	Total
Small Claims	190	205	250	727	1,372
Strata	31	47	-	78	156
Motor Vehicle Injury	6	8	4	2	20
Accident Benefits	1	-	-	-	1
Accident Responsibility	-	-	-	-	-
Societies and Cooperative Associations	9	10	5	3	27
Total Refused to Resolve	237	270	259	810	1,576

*"I didn't have to travel...
it was resolved in my case -
fast and easy."*

- CRT Participant



Appendix A



Participants may apply to the BC Supreme Court for judicial review of a CRT decision.

Statistics

Judicial Review/Notice of Objection

Participants in CRT disputes may apply to the BC Supreme Court for judicial review of a CRT decision.

There were 12 applications made in 2022/23 for judicial review of a decision in a small claims dispute, 8 for strata property disputes, and 1 for a societies dispute. There were no applications for judicial reviews of motor vehicle injury, accident benefit, accident responsibility, or cooperative association disputes.

Judicial Reviews Filed	2023	2022	2021	Previous Years	Total
Small Claims	12	2	5	2	21
Strata	8	15	15	48	86
Motor Vehicle Injury	-	-	1	-	1
Accident Benefits	-	-	-	-	-
Accident Responsibility	-	-	-	-	-
Societies and Cooperative Associations	1	-	-	-	1
Total Judicial Reviews Filed	21	17	21	50	109

Notes:

- Includes appeals of strata disputes filed before January 1, 2019.

If a Notice of Objection was filed after participants received a CRT decision in a small claims dispute, the CRT decision was set aside. The participants then had the option of continuing the claim through the BC Provincial Court by filing a *Notice of CRT Claim* with the court.

The Notice of Objection process for small claims disputes was eliminated for decisions issued after June 30, 2022. See the [update on legislation](#) for details.

Notice of Objection Filed	2023	2022	2021	Previous Years	Total
Notice of Objection Filed	54	110	147	355	666
Percentage of small claims disputes ¹	6%	12%	14%	17%	14%

Notes:

¹ Percentages are calculated by comparing the number of Notice of Objections filed against the number of small claims disputes with final decisions made by the CRT.

Appendix A



The median time to resolution was 64.3 days for all dispute types.

Statistics

Part 4: Time to Resolution

Average and Median Times to Resolution

The CRT began tracking the time to dispute resolution in 2019/20.

The table below shows the average number of days to resolution, for disputes closed between April 1, 2022 and March 31, 2023. The average time to resolution for all types of disputes was 108.4 days. The median time to resolution was 64.3 days for all types of disputes.

As indicated in the table, average times to resolution for small claims, motor vehicle injury, accident benefits, and accident responsibility disputes are lower than those for strata, and society and cooperative association disputes.

Distribution of Time to Resolution for Disputes Closed Between April 1, 2022 and March 31, 2023

	Small Claims	Strata	Motor Vehicle Injury	Accident Benefits	Accident Responsibility	Society & Coop Assn.	All Types
Number of Disputes Closed	3,629	706	343	38	8	55	4,779 ⁶
Net Time to Resolution (days)¹	Minimum	1	1	1	11	27	1
	Maximum²	1,711	1,421	662	353	133	464
	Average³	102	151	88.4	105.3	51.8	122.7
	Median⁴	72	72.5	57	56.5	65.5	63
Number of Disputes on Hold >1 Days⁵	114	58	123	11	0	7	313
Average Number of Days on Hold⁵	40.8	99.4	98.3	36.3	0	495.7	84.3

Notes:

¹ Definitions of Time to Resolution vary, depending on which stage in the CRT's dispute resolution process the dispute was at when it was closed. See below, for Rules for Calculation of Time to Resolution. In all cases, any time the "Hold" flag is set to Yes is deducted.

² The maximum time to resolution includes decisions in which a decision is issued and later cancelled or set aside by the court and returned to proceed through the dispute resolution process.

³ The average time to resolution reflects the arithmetic mean, or the sum of the number of days to resolution for all disputes closed during 2022/23, divided by the number of disputes closed.

⁴ The median time to resolution is the midpoint – 1/2 of the disputes closed were resolved in fewer days, 1/2 took longer than the median.

⁵ Disputes are put on hold where dispute resolution can't proceed due to circumstances beyond our control (e.g. awaiting court decision, outcome of another CRT dispute, or finalization of settlement).

⁶ The CRT acknowledges there is a difference of 24 disputes between the figures shown on this table and the figures in Appendix A parts 2-3. This 0.5% discrepancy is due to the CRT's transition to a new reporting system. In the coming year, we will work to achieve reporting with 100% accuracy.

Appendix A



“After a continuous struggle for almost 3 years and approaching various organizations for assistance, I was referred to the CRT which solved the problem in a couple of months.”

- CRT Participant

Statistics

Average Times to Resolution by Stage When Closed

The table below shows the average time to resolution based on the stage when disputes are closed. Comparable information is provided from previous years.

The CRT’s average time to resolution for all dispute types increased from 92.7 days in 2021/22 to 108.4 days in 2022/23. The increase is due to increased dispute volumes and staff shortages. Time to resolution will continue to be a focus in coming years.

Average Time to Resolution by Dispute Resolution Stage

	2023		2022		2021		2020	
	Avg. Time to Resolution (Days)	# of Disputes	Avg. Time to Resolution (Days)	# of Disputes	Avg. Time to Resolution (Days)	# of Disputes	Avg. Time to Resolution (Days)	# of Disputes
Closed During:								
Intake <i>(from application until response)</i>	98	1,369	66	1,254	60	1,118	72	1,308
Negotiation and Facilitation	75	1,130	59	1,414	49	1,441	48	1,654
Final Decision <i>(including preparing for final decision)</i>	202	1,353	189	1,337	164	1,503	172	1,227
Default Decision	50	927	50	1,158	57	1,165	39	1,842
All Resolution Types	108.4	4,779¹	92.7	5,163	85.8	5,227	79.3	6,031

Notes:

¹ The CRT acknowledges there is a difference of 24 disputes between the figures shown on this table and the figures in Appendix A parts 2-3. This 0.5% discrepancy is due to the CRT’s transition to a new reporting system. In the coming year, we will work to achieve reporting with 100% accuracy.



"Without [my case manager's] genuine assistance, I may have given up on myself, and the injuries and predicament of this claim would not have been served due justice."

- CRT Participant

Appendix B



Between April 1, 2022 and March 31, 2023, 91% of participants agreed that “the CRT staff were professional.”

Participant Survey Results

The CRT is committed to continuous improvement. As part of this commitment, we regularly conduct anonymous surveys of people who have recently used our dispute resolution process. Participants are invited to take a survey if:

- Their dispute is withdrawn
- They receive a default decision
- Their claim is closed during case management
- Their claim is being prepared for a CRT final decision

We use these results to help evaluate and improve our processes.

Participant survey results are published monthly on our website and social media accounts.

Survey Participation (April 1, 2022 to March 31, 2023)

A total of 418 surveys were completed out of about 6,500 survey invitations sent for a completion rate of about 6%.

Survey participants identified their role as:

- 68.9% applicants (people who made a CRT claim)
- 24.3% respondents (people who a claim was made against)
- 6.8% representatives (lawyers or other individuals approved by the CRT to speak on behalf of an applicant or respondent)

Survey participants reported their claim type as:

- 63.3% small claims
- 27.3% strata
- 5.3% motor vehicle injury / accident benefits / accident responsibility
- 4.1% societies or cooperatives

By comparison, the breakdown of disputes closed in 2022/23 is: 75.9% small claims, 14.8% strata, 8.2% motor vehicle injury / accident benefits / accident responsibility, and 1.1% societies or cooperative associations.

Survey Results

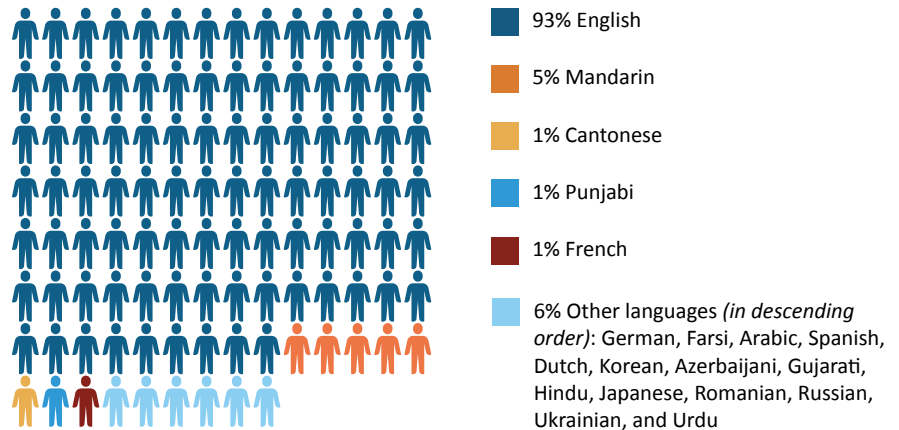
Question	Answer	2023	2022	2021
1. Would you recommend the CRT to others?	Yes	78%	81%	80%
2. Did the CRT provide information that prepared you for dispute resolution?	Yes	84%	86%	85%
3. How easy to understand was the CRT process?	Easy, and neither easy nor difficult	82%	83%	85%
4. How easy to use were the CRT’s online services?	Easy, and neither easy nor difficult	83%	83%	86%
5. Do you feel CRT staff were professional?	Very or somewhat professional	91%	95%	91%
6. Do you feel the CRT treated you fairly throughout the process?	Yes	84%	86%	82%
7. Do you feel the CRT handled your dispute in a timely manner?	Yes	67%	76%	80%

Appendix B

Participant Survey Results

Demographics

Which language(s) do you speak most often at home¹?



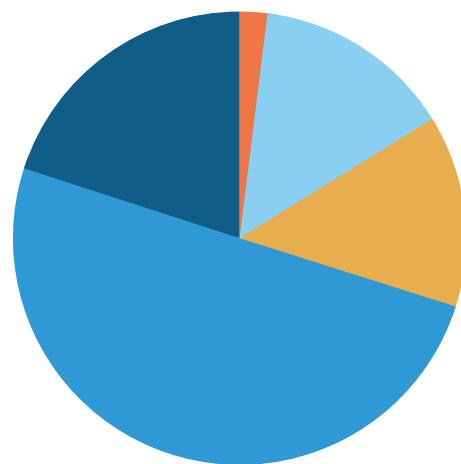
¹ Participants may select multiple languages.

"I really appreciate the inclusive, plain language website that really tries hard to make the process accessible and understandable regardless of gender, sexual orientation, disability, language, or education."

This puts more power into people's hands...so people can access their rights."

- CRT Participant

What is the highest level of education you completed?



- 2% Some high school
- 14% High school or equivalent
- 14% Trade, technical or vocational training
- 50% College or university degree
- 20% Post-graduate or law degree



"We were able to work through the process without having to consult a lawyer and incur the expense...[our case manager helped us] understand the process and not make mistakes with regards to what was required of us at each stage."

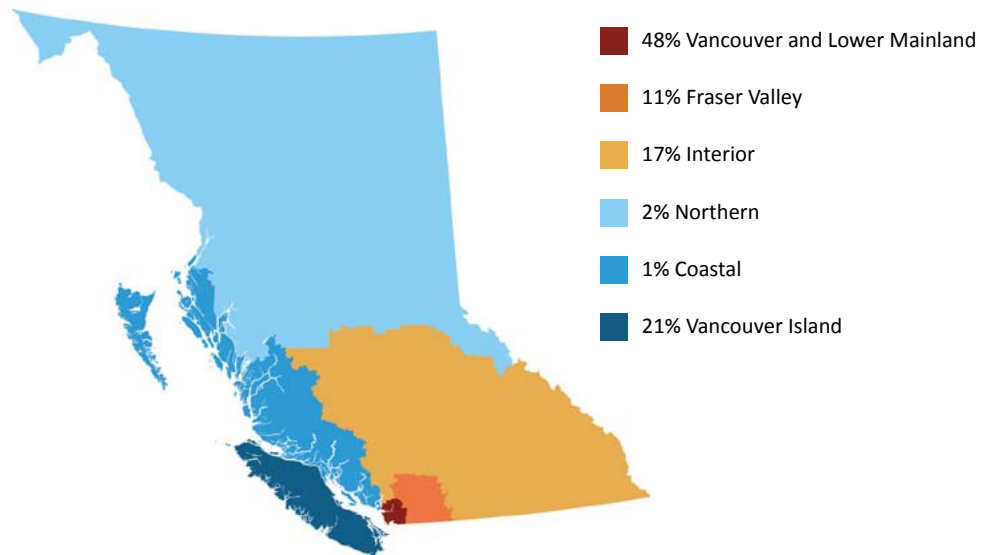
- CRT Participant

Appendix B

Participant Survey Results

Demographics

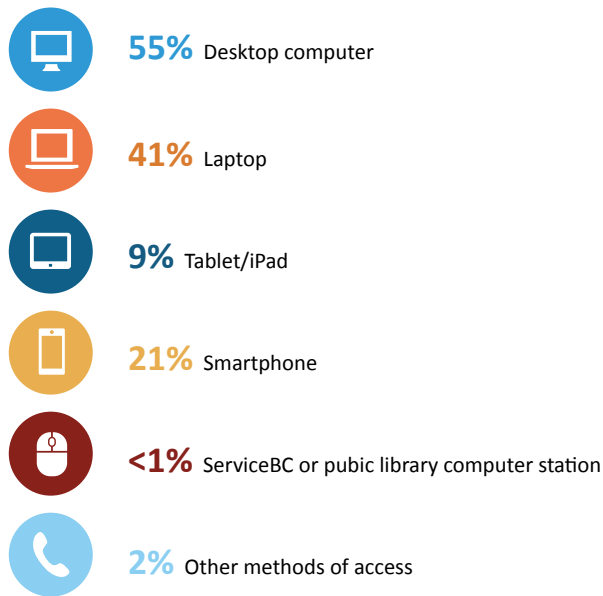
Which region of BC do you live in?



"Easily done online with no need to travel to a lawyer's office or a courtroom."

- CRT Participant

How did you access CRT services¹?



"I like that everything could be done online and all follow up was done via email with very clear instructions on what to do."

- CRT Participant

¹ Participants may have accessed services using more than one method.

Appendix B

“So often when considering court proceedings the little guy walks away not because of the merits, but because of worries about how much the process will cost and how long it will drag on...”

With the CRT process, though, the applicant is not having to put much money at risk, and the process is to the point, so the focus is immediately on the issues.”

- CRT Participant

Participant Survey Results

Constructive Feedback

In the survey, participants were invited to share free-form comments about what they felt we could improve. The most common themes for 2022/23 were:

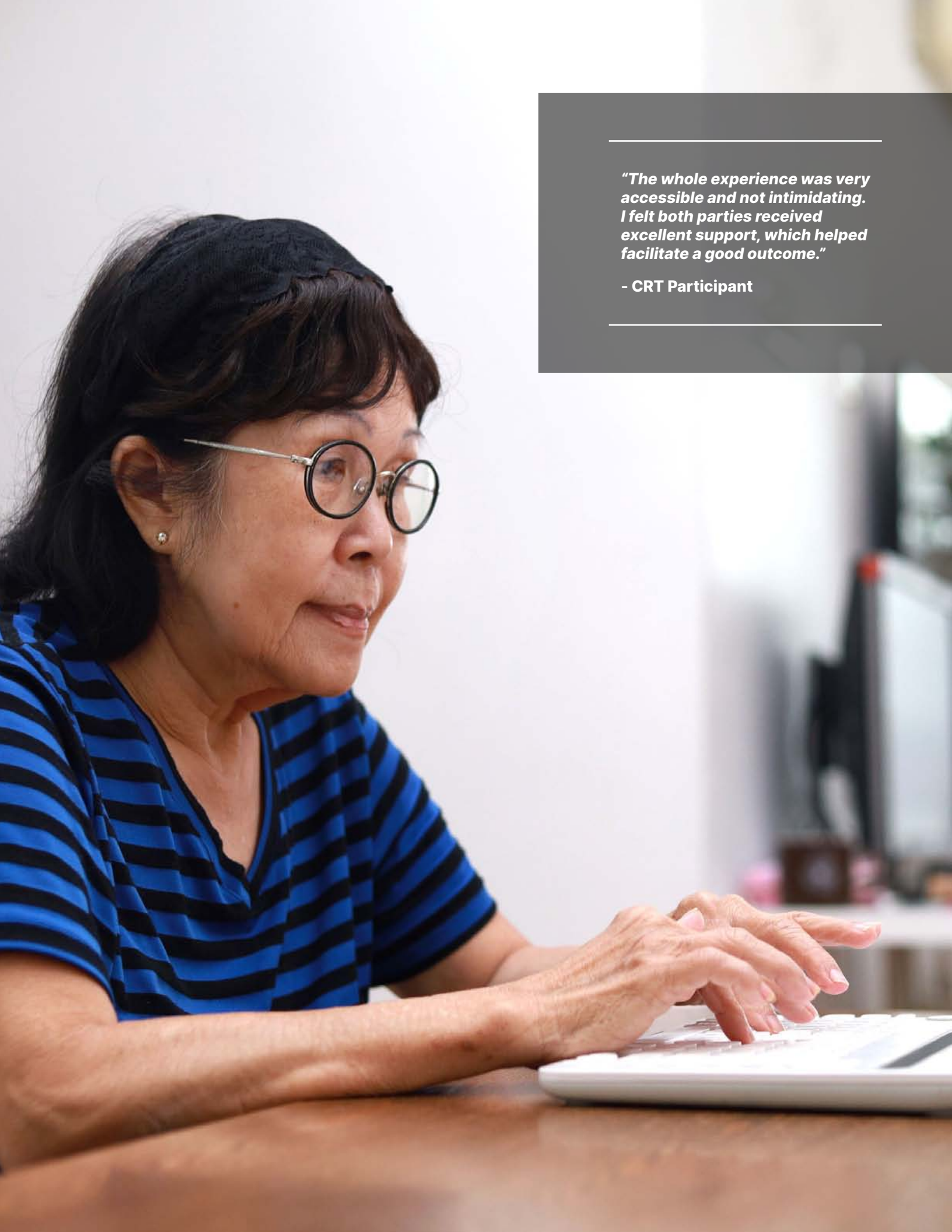
- Requests for a clearer roadmap of CRT process steps and timelines
- Technical issues with our online systems
- Long turnaround times for processing applications and making tribunal member decisions
- Complaints that the CRT should be vetting dispute applications for merit before the process starts
- Frustration that CRT staff can't give legal advice

In 2022/23, we focused our continuous improvement work on the first 2 themes. This included making improvements to our online systems, and launching a completely redesigned and rewritten CRT website that provides clearer information and visual overviews of the CRT process. The third theme was addressed by focusing operational efforts on reducing backlogs. The last 2 themes are related to the CRT's operational and legal mandate, and are not things our continuous improvement process can address at this time.

For 2023/24, the focus of our continuous improvement work will be additional enhancements and fixes to our online systems, and continuing to adjust our website content based on public and staff feedback.

Key Conclusions

The participant survey results show that, overall, we continue to deliver accessible and easy to use services that help people prepare for and resolve their disputes. A strong majority of CRT participants believe they were treated professionally and fairly.



"The whole experience was very accessible and not intimidating. I felt both parties received excellent support, which helped facilitate a good outcome."

- CRT Participant

Appendix C



Amortization costs are for the CRT portion of development costs for enhancements to the tribunal's technology platforms.

Statement of CRT Revenue and Expenses

	2023	2022	2021	2020
Total Revenue	\$ 626,078	\$ 532,196	\$ 589,765	\$ 679,620
Expenses				
Salaries and Benefits	7,836,235	8,987,054	9,339,130	7,309,998
Part-time Tribunal Member Per Diems and Expenses	40,919	26,731	1,758	19,294
Information Systems and Technology	1,034,819	1,233,043	1,311,432	1,144,435
Travel expenses	14,163	-	692	26,700
Building Occupancy Costs	701,640	683,893	678,490	466,679
Amortization	2,306,547	1,200,951	935,955	643,549
Other Operating Expenses	132,779	199,695	238,835	541,943
Total Expenses	\$ 12,067,102	\$ 12,331,367	\$ 12,506,291	\$ 10,152,597

Notes:

- Revenues are from the collection of CRT fees, set under the authority of section 62(2)(m) of the Civil Resolution Tribunal Act and CRT Rule 1.6, and are net of refunds issued.
- Salaries and Benefits includes base salaries and employee benefits for all employees of the CRT, as well as full-time tribunal members (including the chair and vice chairs). Prior fiscal years also includes the cost of some salaries for Ministry of Attorney General employees providing project support to the CRT. Fiscal 2022/23 does not include any costs for Ministry of Attorney General employee salaries.
- Information Systems and Technology includes technology cost recovery charges by the government Office of the Chief Information Officer, the cost of operating licenses for CRT technology platforms, and maintenance and support costs recovered from the CRT by the Ministry of Attorney General.
- Travel Expenses includes travel expenses for CRT employees and full-time tribunal members. Travel expenses for part-time tribunal members are included in Part-time Member Per Diems & Expenses. 2022/23 Travel was almost entirely related to litigation matters which required in-person attendance of CRT Legal Counsel.
- Building Occupancy Costs are for office spaces for CRT staff, which includes annual lease and amortization charges, for new offices completed Spring 2020.
- Amortization costs are for the CRT portion of development costs for enhancements to the tribunal's technology platforms. In 2022/23 the remaining amortization from the initial technology platform development was funded out of the CRT budget. In previous years it had been covered by the Ministry of Attorney General.
- Other Operating Expenses includes professional & legal services, office expenses, bank charges.

Appendix C



In 2022/23 the cost per dispute, excluding project and one-time costs³, was \$2,538.

Cost Per Dispute

The average cost of resolving disputes has remained consistent with last year's costs, despite labour shortages and the increase in wages for BCGEU employees. Overhead and administration costs increased due to an additional \$1.1 million in amortization. Amortization is from developing the CRT's online technology platform, and these additional costs are from the completion of the system development for accidents benefits jurisdiction, as well as the CRT taking over the remaining amortization for earlier system development which was previously funded out of the Attorney General's budget.

Project and one-time costs typically only arise when the CRT is given new areas of jurisdiction. During 2022/23 there were no additional costs incurred related to projects.

Overall Cost	2023	2022
Dispute Resolution Services ¹	5,691,044	6,166,382
Overhead and Administration ²	6,376,058	5,007,599
Project and One-time Costs ³	-	1,157,386
Total Overall Cost	\$ 12,067,1027	\$ 12,331,367
Disputes Closed	4,755	5,163
Cost Per Dispute		
Dispute Resolution Services ¹	1,197	1,194
Overhead and Administration ²	1,341	970
Total Cost Per Dispute (excluding Project and One-time costs³)	\$ 2,538	\$ 2,164

Notes:

¹ Dispute Resolution Services costs are expenses directly associated with individual disputes, such as staff salaries and the cost of licenses for the CRT's online technology platform.

² Overhead and Administration costs are the expenses that can't be attributed to specific disputes, such as the cost of renting office space.

³ Project and One-time costs are the expenses of developing the CRT's online technology platform to accommodate disputes in new areas of jurisdiction.

Appendix C



The CRT waived fees for 7% of its fee payment transactions.

Fee Payments by Method

Number of Fee Payments by Method April 1, 2022 to March 31, 2023

	Claim Type				
	Small Claims	Strata	Motor Vehicle ²	Society & Coop Assn.	All Claim Types
BC Express Pay (online credit card payment)	6,003	1,149	1,141	82	8,375
% for Claim Type	88%	91%	55%	75%	82%
Cheque	159	53	891	11	1,114
% for Claim Type	2%	4%	43%	10%	11%
In-Person (Service BC)	88	9	8	2	107
% for Claim Type	1%	1%	0%	2%	1%
Fee Waiver	568	46	43	14	671
% for Claim Type	8%	4%	2%	13%	7%
Total Payments	6,818	1,257	2,083	109	10,267

Notes:

¹ Payment Method includes payments that were processed, but subsequently refunded.

² Motor Vehicle includes: Minor Injury Determination, Liability & Damages, Accident Benefits, and Accident Responsibility.



Tribunal members are appointed by Order-in-Council by the Lieutenant Governor, for renewable terms of up to 5 years.

Appendix D



While there were 82 tribunal members and employees at the start of the 2022/23 fiscal year, the CRT was understaffed through most of the year.

Number of Employees and Full-time Tribunal Members at Fiscal Year-end

	2023	2022	2021	2020
Full-time Tribunal Members				
Chair	1	1	1	1
Vice Chairs	4	4	4	4
Tribunal Members	10	12	14	12
Total Full-time Tribunal Members	15	17	19	17
Employees				
Managers, Legal Counsel	10	8	9	8
Administration/Finance/Technology/ Human Resources	7	9	13	9
Case Management (Facilitators)	14	15	17	18
Information and Intake Support	28	22	25	29
Decision Support	14	11	14	14
Total Employees	73	65	78	78
Total Full-time Tribunal Members and Employees	88	82	97	95

Notes:

- Employee counts are as of March 31. While there were 82 tribunal members and employees at the start of the 2022/23 fiscal year, the CRT was understaffed through most of the year. In February/March 2023, 8 Information and Intake Support, and 4 Decision Support employees were hired bringing the count to 88 as of March 31.
- Includes employees who were on parental or other leave at the end of the fiscal year, but does not include staff who were on temporary assignments outside of the CRT.
- Fiscal 2020/21 includes 4 temporary positions for the accident benefits implementation project, which were vacated in Fiscal 2021/22 and remain vacant.

Appendix E



Tribunal members fulfill quasi-judicial functions under the CRTA, including determining applications, and making final decisions on claims.

Tribunal Members

Terms of Appointment for the year ending March 31, 2023

The CRT had 16 appointed tribunal members as of March 31, 2023, including 1 chair, 4 vice chairs, 10 full-time members, and 1 part-time member. Tribunal members are appointed by Order-in-Council by the Lieutenant Governor, for renewable terms of up to 5 years. Tribunal members fulfill quasi-judicial functions under the *Civil Resolution Tribunal Act* (CRTA) including making decisions on CRT jurisdiction for new claim applications, default decisions, and final decisions. Tribunal members have completed specialized CRT training and are also engaged in reviewing and approving content for the CRT's Solution Explorer.

In addition to a decision-making role, the chair is responsible for the effective implementation, management, and operation of the CRT and the organization and allocation of work among its tribunal members. Section 75 of the CRTA provides that the remuneration and benefits for tribunal members is set in accordance with the applicable Treasury Board [Directive](#). Under the current Treasury Board Directive (#1/20, effective May 1, 2020), tribunal members are classified in the following annual salary and per diem range. Full-time tribunal members are entitled to benefits under the Terms and Conditions for Excluded Employees/Appointees.

	Chair	Vice Chair	Full-time Tribunal Members	Part-time Tribunal Members
Administrative Tribunal Group	Level 4 – Full-time	Level 4 – Full-time	Level 4 – Full-time	Level 4 – Part-time
Treasury Board Directive Range	\$168,000- \$190,000	\$143,000- \$161,000	\$118,000- \$132,000	\$500- \$575 per day

Appendix E



In June 2022, cabinet appointed Simmi K. Sandhu the new Chair of the CRT. Richard Rogers and Shelley Lopez were Acting Chairs for several months until the transition occurred in August.

Tribunal Member Remuneration for the year ending March 31, 2023

Name	Position	Total Remuneration ¹	Current rates of Remuneration Per Diem rates for Part-time Tribunal Members Only
Simmi Sandhu	Chair	\$109,776.80	\$179,000/year
Richard Rogers ²	Acting Chair	\$40,919.14	\$168,000/year
James Garth Cambrey	Vice Chair	\$159,523.19	\$161,000/year
Kathryn Campbell	Vice Chair	\$160,448.86	\$161,000/year
Shelley Lopez	Vice Chair	\$163,622.59	\$161,000/year
Andrea Ritchie	Vice Chair	\$157,501.29	\$161,000/year
Layli Antinuk ²	Member/Full-time	\$13,568.79	\$118,000/year
Trisha Apland ²	Member/Full-time	\$39,805.62	\$132,000/year
Micah Carmody	Member/Full-time	\$132,184.57	\$132,000/year
Kristin Gardner	Member/Full-time	\$124,572.24	\$125,000/year
Sherelle Goodwin	Member/Full-time	\$129,777.46	\$132,000/year
David Jiang	Member/Full-time	\$132,256.85	\$132,000/year
Richard McAndrew ²	Member/Full-time	\$94,529.23	\$118,000/year
Charles McCarthy ²	Member/Full-time	\$103,360.13	\$105,600/year
Sarah Orr	Member/Full-time	\$38,873.76	\$132,000/year
Eric Regehr	Member/Full-time	\$131,548.30	\$132,000/year
Christopher Rivers	Member/Full-time	\$30,375.26	\$118,000/year
Navdeep Shukla	Member/Full-time	\$101,120.58	\$125,000/year
Megan Stewart	Member/Full-time	\$52,013.69	\$118,000/year
Leah Volkens	Member/Full-time	\$122,477.09	\$125,000/year
Susan MacFarlane ²	Member/Part-time	\$0.00	\$525/day (\$262.50/half day)
Karen Mok ²	Member/Part-time	\$0.00	\$525/day (\$262.50/half day)
Andrew Pendray	Member/Part-time	\$0.00	\$525/day (\$262.50/half day)
Salima Samnani ²	Member/Part-time	\$0.00	\$525/day (\$262.50/half day)

Notes:

¹ Remuneration includes salary, unused vacation payouts, and parental and maternity leave allowances.

² Tribunal members whose appointment expired, or who resigned during the fiscal year.



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