



Civil claims for up to \$5,000 must usually be resolved at the online BC Civil Resolution Tribunal, not at the Provincial Court. However, some of these claims do come to the Court.

Civil Resolution Tribunal (CRT)

CRT is an online tribunal. It offers dispute resolution for issues within its authority:

1. First, you communicate online with the other side to see if you can settle the dispute between yourselves
2. If that doesn't work, CRT staff will try to help you settle
3. If you cannot resolve the dispute, a CRT member may make a decision that can be enforced like a court order

You cannot take a claim for harassment, slander or defamation, or the division of family property to the CRT.

When claims for under \$5,001 may come to small claims court

Reasons why CRT can refuse to resolve a claim

- The dispute is too complex or otherwise impractical for CRT to manage or resolve
- The claim is not reasonable or is an abuse of process

- The dispute has been resolved through a legally binding process or would be more appropriate for another legally binding dispute resolution process
- The claim may involve a constitutional question or the application of the British Columbia *Human Rights Code*
- The dispute is beyond its jurisdiction (legal authority)

Applying to small claims court to be exempt from CRT

You may apply in small claims court for exemption from the CRT process and a judge may order CRT not to adjudicate a claim if CRT doesn't have jurisdiction (legal authority), or it is not in the interests of justice and fairness for CRT to facilitate or adjudicate the claim.

You must file an application for exemption within 14 days after a response is made in the CRT. The *Civil Resolution Tribunal Act* sets out the factors a judge may consider, which are:

- If an issue raised by the claim is of such importance that the dispute would benefit from being decided by the Court to establish a precedent
- If an issue raised by the claim relates to a constitutional question or the British Columbia *Human Rights Code*
- If an issue raised by the dispute is sufficiently complex to benefit from being decided by the Court
- If all of the parties to the claim agree that the dispute should not be decided by CRT
- If the claim should be heard together with a dispute currently before the Court
- If the use of electronic communication tools in the CRT process would be unfair to a party in a way that CRT cannot accommodate

Enforcement of CRT orders

A party can ask to have a CRT order enforced in the Provincial Court. Both negotiated consent orders and final decisions of the CRT can be filed in the Court for enforcement.

Once filed, a CRT order has the same force as a Court judgment, and can be enforced using the same procedures. The Court enforces Residential Tenancy Branch orders in a similar way.

Notices, policies, practice directions

Find notices (including Notice 28 Current Court Operations), policies and small claims practice directions.



Small Claims Forms

Small claims forms and small claims filing assistant to help you complete your forms. (Government of BC)



Finding a lawyer or getting legal advice

Information about getting a lawyer and how to get legal advice and legal assistance.



Source URL:

<https://main-bvx6a6i-t74dtfugroaqq.ca-1.platformsh.site/navigating-court-case/small-claims/claims-5000>