



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

The tenants have requested permission for a court reporter to transcribe the proceedings of a Residential Tenancy Branch hearing to be heard on July 15, 2021 at 9:30 a.m. The tenants made the request in a letter dated April 4, 2021. They said:

Pursuant to section 6.12 of the Residential Tenancy Branch *Rules of Procedure* we hereby request permission to create a recording and/or transcript of our upcoming hearing. We acknowledge and agree to obey the procedural caveats of this provision: to make use of an accredited court reporter at our personal expense, to submit proof of the aforementioned accreditation and to provide all those involved with a copy of the transcript.

We are hopeful that granting our request will help to ensure the integrity of the hearing and compel all participants to provide truthful testimony.

Analysis

The Residential Tenancy Branch Rules of Procedure address the Rules surrounding recording of hearings, as follows:

Recording of hearings

6.11 Recording prohibited

Persons are prohibited from recording dispute resolution hearings, except as allowed by Rule 6.12. Prohibited recording includes any audio, photographic, video or digital recording.

6.12 Official transcript

A party requesting an official transcript by an accredited Court Reporter must make a written request stating the reasons for the request to the other party and

to the Residential Tenancy Branch directly or through a Service BC Office not less than seven days before the hearing.

An arbitrator will determine whether to grant the request and will provide written reasons to all parties and issue any necessary orders.

If permission is granted, the party making the request must:

- a) prior to the hearing, provide the Residential Tenancy Branch with proof of the Court Reporter's accreditation;
- b) make all necessary arrangements for attendance by the accredited Court Reporter and their necessary equipment;
- c) pay the cost of the accredited Court Reporter's attendance at the dispute resolution hearing;
- d) pay the cost of the Court Reporter's services and the cost of transcripts; and
- e) provide all parties and the Residential Tenancy Branch with official copies of the transcript.

6.13 Restricted use of recordings

Transcripts may not be used for any purpose other than the proceeding, a review or any court proceeding.

I find that the tenants' request for an accredited court reporter to make an official transcript of the hearing scheduled for July 15, 2021 is compliant with Rule 6.13, which states that an official transcript may be used for the proceeding.

The tenants have requested the official transcript for the proceeding. I grant the tenants' request to use an accredited court reporter for an official transcript of the July 15, 2021 Residential Tenancy Branch hearing. Further, I order the tenants to comply with all the requirements of section 6.12 of the Residential Tenancy Branch's Rules of Procedure.

Conclusion

I grant the tenants their request to have an accredited court reporter make an official transcript of the July 15, 2021, Residential Tenancy Branch hearing involving the above participants.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: April 16, 2021

Residential Tenancy Branch