

# Application for an Order of Possession - Cooperative

THE RESIDENTIAL TENANCIES BRANCH

Please Print

<b>1</b>	<b>Address of Housing Unit:</b>	
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<b>2</b>	<b>Cooperative/Member Information</b> (Names in full, no initials)	
	Mailing Address	City/Town
Cooperative	Postal Code	Daytime phone #
	Present or Mailing Address	City/Town
Member	Postal Code	Daytime phone #
	Present or Mailing Address	City/Town
Member	Postal Code	Daytime phone #

<b>3</b>	<b>Reason for Application</b>
<p><b>Check (✓) either Option 1 or Option 2</b></p> <p><input type="checkbox"/> <b>Option 1</b></p> <p>The directors of the cooperative terminated the membership of this member by special resolution.</p> <p><input type="checkbox"/> <b>Option 2</b></p> <p>An appeal tribunal confirmed the directors' special resolution terminating the membership of this member.</p> <p>The member did not move out in accordance with the resolution. The cooperative now applies for an Order of Possession, and claims costs as allowed under Section 4 of the Residential Tenancies Costs Regulation.</p> <p>_____</p> <p style="display: flex; justify-content: space-between;"> <span>Signature of Cooperative's Representative</span> <span>Date</span> </p> <p style="text-align: center;">(See other side for Important Information)</p>	

## Notice of Hearing

<b>4</b>	<b>Hearing Date:</b>			
<b>Time:</b>		<input type="checkbox"/> A.M.	<b>Place:</b>	
		<input type="checkbox"/> P.M.		
_____		_____		
Authorized Signature, Residential Tenancies Branch		Date		

If you want to respond to this application, you or your representative should come to the hearing. If you can't come to the hearing, you can send a written response. **All parties must receive your response two full business days before the hearing.** If you do not come to the hearing, we may make a decision without you.

If you have a general question about your hearing, you can call our information line at 204-945-2476 or toll-free at 1-800-782-8403.

The Branch offers service in French. If you require French language service at your hearing, please call 204-945-2476 or toll-free (1-800-782-8403) as soon as you receive this application.

# Important Information

The Residential Tenancies Branch will hear this application under the authority of *The Residential Tenancies Act* and *The Cooperatives Act*.

## Giving the member the Application for Order of Possession

The cooperative must give this application by:

- ◆ handing it to the member; or
- ◆ handing it to an adult at the member's home.

Cette information existe également en français.  
Composez le 204-945-2476.

If the member doesn't come to the hearing, the Branch will ask the cooperative to show that the member received this Application for an Order of Possession at least five days before the hearing. We'll accept a sworn declaration of service by the person who delivered the application.

If the cooperative has made reasonable attempts to serve this application to the member but has not been able to, they may call the Residential Tenancies Branch at 204-945-2476 or toll-free at 1-800-782-8403 for information on other ways to serve the application or to reschedule the hearing.

## Evidence Requirements

The cooperative must submit evidence to the Branch to show that they followed the requirements of *The Cooperatives Act* for terminating a membership.

If you have evidence or a written submission you would like the RTB to consider at the hearing, at least **two full business days** before the hearing, you **must** submit:

- One copy to the RTB; this can be sent electronically to [rtbevidence@gov.mb.ca](mailto:rtbevidence@gov.mb.ca).
- One copy to any other party.

Evidence not received by the RTB or the other party at least two full business days prior to the hearing **may not** be accepted.

If you are the claimant or applicant, you must provide a completed Declaration of Service form to show that you served the other person at least five days before the hearing. A Commissioner for Oaths must witness the declaration.

## Public Record

When the Residential Tenancies Branch holds a hearing, or makes a determination, it issues an Order stating the decision. This Order is a matter of public record.