



## SURFACE RIGHTS BOARD INFORMATION SHEET #11

### RENT REVIEW

The annual rental provisions in a surface lease or Board Order may be renegotiated every four years. Either a landowner or an operator (the subsurface rights holder) may commence rent renegotiation by completing the Board's **Form 2** and sending it to the other party. The landowner and operator should then hold discussions between themselves in an attempt to mutually agree on new rent provisions. If they are not successful, either party may apply to the Board for mediation and arbitration 60 days after receipt of the Form 2 using either **Form 1A** (Landowners) or **Form 1B** (Rights Holders). The applicant must send the other party a copy of the application.

Any new rental rates are retroactive to the anniversary date of the surface lease - immediately preceding the date of the Notice of Rent Review (Form 2). For example, if the surface lease was signed on September 1, 2005 and Form 2 was completed on November 1, 2010 any new rental rate would be retroactive to Sept. 1, 2010. If rent is payable pursuant to a Board Order rather than a surface lease, the retroactive date is determined in a similar fashion, based on the anniversary date of the Board Order.

When the Board receives an application for mediation and arbitration services (Form 1A or Form 1B), it will arrange a telephone mediation conference to discuss the application. If the parties do not agree on the new rent provisions during this conference and any subsequent mediations, the Board will refer the case to its arbitration services.

See the Board's Information Sheets on Mediation, and Arbitration for more information about the Board's processes.

For questions or other Information Sheets, please contact us or see our web site at:

#### SURFACE RIGHTS BOARD

1270 – 605 Robson Street Vancouver, B.C. V6B 5J3	Telephone: 604-775-1740 Facsimile: 604-775-1742 Toll-Free Telephone: 1-888-775-1740 Toll-Free Facsimile: 1-888-775-1742
E-Mail: office@surfacerightsboard.bc.ca Web Site: www.surfacerightsboard.bc.ca	
Application Forms and Information Sheets are available from any Service BC Centre (Government Agent) and Applications may be delivered to the Board either directly or through Service BC	