



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MN, MNDC, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has made application requesting compensation for damage to the rental unit, damage or loss under the Act and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained, evidence was reviewed and the parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing.

Preliminary Matter

The landlord claimed compensation in the sum of \$2,000.00. At the beginning of the hearing I asked the landlord to point out the detailed calculation of her claim. The landlord had submitted several receipts, that did not total the amount claimed, that were contained in her evidence submission sent to the tenant in mid-November, 2011. The landlord had applied for dispute resolution on September 2, 2011.

The landlord did not provide a detailed calculation for any portion of her claim, as required. I was unable to determine what specific damage or damage and loss had been claimed. The landlord's application only mentioned damage and provided no calculation or breakdown of the amount claimed.

The tenant stated she did not understand what the landlord was requesting by way of compensation. If I were to dismiss the application it is unclear as to what I would be dismissing; therefore, the application has been declined and the landlord has leave to reapply.

Therefore; I determined that the application would not proceed, based upon section 59(5)(a) of the Act which provides the authority decline an application when it does not comply with 59(2)(b) of the Act, by disclosing the full particulars of the claim

Conclusion

The application is declined; the landlord has leave to reapply.

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: November 22, 2011.

Residential Tenancy Branch