



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

Introduction

The parties appeared at the scheduled teleconference hearing.

Issue(s) to be Decided

1. The issues to be decided are unknown at this time as the applicant Tenants have not provided a description of or the details of the dispute.

Analysis

Section 59 (2) of the *Residential Tenancy Act (Act)* stipulates that an application for dispute resolution must (a) be in the applicable approved form, **(b) include full particulars of the dispute that is to be the subject of the dispute resolution proceedings**, and (c) be accompanied by the fee prescribed in the regulations. [My emphasis added]

Section 59 (5) of the Act provides that the director may refuse to accept an application for dispute resolution if:

- (a) in the director's opinion, the application does not disclose a dispute that may be determined under this Part,
- (b) the applicant owes outstanding fees under this Act to the government, or
- (c) the application does not comply with subsection (2).

In this case the Tenants have made application for a monetary order for money owed or compensation for damage or loss under the Act, regulation, or tenancy agreement in the amount of \$1,400.00 however they have not provided details of the particulars of this claims such as what this amount is being claimed for nor have their provided a detailed calculation of how they determined the actual amount being claimed. Accordingly I find this application does not meet the requirements of section 59(2) of the Act as noted above and I refuse to accept this application.

Conclusion

The Tenants' application is hereby dismissed, with 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: February 20, 2012.

Residential Tenancy Branch