



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes:

**MND, MNR, MNSD, MNDC, FF**

### Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested compensation for damage to the rental unit, unpaid rent, to retain all or part of the security deposit, compensation for damage or loss under the Act and to recover the filing fee from the tenants for the cost of this Application for Dispute Resolution.

The landlord provided affirmed testimony that on April 27, 2012, copies of the Application for Dispute Resolution and Notice of Hearing were sent to each tenant by registered mail. A Canada Post tracking number and receipt for each tenant was provided as evidence of service.

The landlord's witness provided affirmed testimony that on March 29, 2012, the male tenant telephoned her and provided the forwarding address; which is his mother's home. The tenant confirmed this was the forwarding address but, although requested to so, he declined to provide the agent with a written forwarding address.

The tenant had vacated the unit at the end of February, 2012. The landlord had possession of the unit on March 1, 2012.

These documents are deemed to have been served on the 5<sup>th</sup> day after mailing, in accordance with section 89 of the Act; to the address the male tenant provided to the agent on March 29, 2012; however, the tenants did not appear at the hearing.

### Preliminary Matters

The landlord confirmed that the tenants were served the evidence that was provided to the Residential Tenancy Branch with the application; the landlord's separate evidence submission made to the Residential Tenancy Branch on April 30, 2012, was not served to the tenants.

The landlord's application indicated a monetary claim in the sum of \$3,357.78; however, the landlord did not supply a detailed calculation of the amount claimed. Therefore, I was unable to determine the details of the monetary claim.

I then 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.

The landlord did not provide a detailed calculation for any portion of the claim, as required. I am unable to determine what portions of the claim relate to a request for compensation and, if so, what amount of compensation is sought for each item listed. Therefore, the application has been declined and the landlord has leave to reapply.

The landlord asked about service of future documents; he is encouraged to obtain advice from the Residential Tenancy Branch at one of the following:

<http://www.rto.gov.bc.ca/content/contactUs/default.aspx>

**Phone:**

*To speak to an Information Officer or to listen to our recorded information line call:*

**Lower Mainland:** 604-660-1020

**Victoria:** 250-387-1602

**Elsewhere in BC:** 1-800-665-8779

**E-mail:**

*If you prefer to communicate with us by email, please send a message to:*

[HSRTO@gov.bc.ca](mailto:HSRTO@gov.bc.ca)

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: June 22, 2012.

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Residential Tenancy Branch