



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD, F, O

This matter was scheduled for a teleconference hearing at 9:30am on this date. The landlord participated in the teleconference, the tenant did not. The landlord is seeking a monetary order in the amount of \$5200.00. This amount derives from by-law offence notices issued to the tenant for breaches of the local by-laws. In discussing the matter with the landlord she advised that she is “not out of pocket” on these matters as no payment has been registered. When a party makes an application seeking a monetary order they must prove they are “out of pocket” for said costs. The landlord was not certain if the matters were being disputed by the tenant or if any payments had been made by the tenant as of today’s hearing.

The landlord is premature in their application and accordingly I dismiss the landlord’s application with leave to reapply.

Leave to reapply is not an extension of any applicable time limitations.

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: January 24, 2013

Residential Tenancy Branch

