



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.

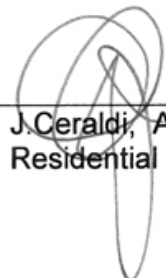
The landlord is premature in their application and accordingly I dismiss the landlord's application with leave to reapply.

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

DECISION AMENDED PURSUANT TO SECTION 78(1)(A)
OF THE RESIDENTIAL TENANCY ACT ON **February 13, 2013**
AT THE PLACES INDICATED.



J. Ceraldi, Arbitrator
Residential Tenancy Branch



Residential Tenancy Branch

RTB-136

Now that you have your decision...

All decisions are binding and both landlord and tenant are required to comply.

The RTB website (www.rto.gov.bc.ca) has information about:

- How and when to enforce an order of possession:
Fact Sheet RTB-103: *Landlord: Enforcing an Order of Possession*
- How and when to enforce a monetary order:
Fact Sheet RTB-108: *Enforcing a Monetary Order*
- How and when to have a decision or order corrected:
Fact Sheet RTB-111: *Correction of a Decision or Order*
- How and when to have a decision or order clarified:
Fact Sheet RTB-141: *Clarification of a Decision or Order*
- How and when to apply for the review of a decision:
Fact Sheet RTB-100: *Review Consideration of a Decision or Order*
(Please Note: Legislated deadlines apply)

To personally speak with Residential Tenancy Branch (RTB) staff or listen to our 24 Hour Recorded Information Line, please call:

- Toll-free: 1-800-665-8779
- Lower Mainland: 604-660-1020
- Victoria: 250-387-1602

Contact any Service BC Centre or visit the RTB office nearest you. For current information on locations and office hours, visit the RTB web site at www.rto.gov.bc.ca