



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC FF

Introduction

This hearing was convened as a result of the tenant's application for dispute resolution seeking remedy under the *Residential Tenancy Act* (the "Act"). The tenant applied for a monetary order in the amount of \$5,600.00 for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement.

The tenant, the landlord, and an agent for the landlord (the "agent") appeared at the teleconference hearing.

Preliminary and Procedural Matter

At the outset of the hearing, the parties were advised that the tenant's application for monetary compensation was being refused, pursuant to section 59(5)(c) of the *Residential Tenancy Act (Act)*, because their application for dispute resolution did not provide sufficient particulars of their claim for compensation, as is required by section 59(2)(b) of the Act.

I find that proceeding with the tenant's monetary claim at this hearing would be prejudicial to the landlord, as the absence of particulars that set out how the tenant arrived at the amount of \$5,600.00 makes it difficult, if not impossible, for the landlord to adequately prepare a response to the tenant's claim.

The tenant is at liberty to reapply, however, is reminded to provide a detailed breakdown of their monetary claim and is encouraged to use the Monetary Worksheet available at www.rto.gov.bc.ca when submitting a monetary claim. The tenant may include any additional pages to set out the details of their dispute in their application, as required.

Conclusion

The tenant's application has been refused pursuant to sections 59(5)(c) and 59(2)(b) of the *Act*. The tenant is at liberty to reapply for their monetary claim, however, is encouraged to provide a detailed breakdown of any future monetary claim at the time an application is submitted.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: March 13, 2014

Residential Tenancy Branch

