



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding RIVERBEND RESORT  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNL MNDC FF

### Introduction

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution under the *Manufactured Home Park Tenancy Act* (the "Act") to cancel a Notice to End Tenancy for Landlord's Use of Property, for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, and to recover the filing fee.

The tenant and an agent for the landlord (the "agent") attended the hearing. The parties were affirmed and an opportunity to ask questions about the hearing process was provided to both parties.

### Preliminary and Procedural Matters

At the outset of the hearing, the tenant requested to withdraw her application to cancel a Notice to End Tenancy for Landlord's Use of Property as the tenant has already vacated the rental site. The agent confirmed that the tenant had vacated the rental site. As a result, the tenant was permitted to withdraw that portion of her claim.

The tenant was advised that her application for monetary compensation was being refused, pursuant to section 52(5)(c) of the *Act*, because her application for dispute resolution did not provide sufficient particulars of her monetary claim for compensation, as is required by section 52(2)(b) of the *Act*. The tenant is at liberty to re-apply as a result, but is reminded to include full particulars of her claim when submitting her application in the "Details of Dispute" section of the application, and is encouraged to use the "Monetary Order Worksheet" (Form RTB-37) located on the Residential Tenancy Branch website; [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca). The amount listed on the monetary worksheet being claimed should also match the monetary amount being claimed on the application.

Conclusion

The tenant has withdrawn her request to cancel the Notice to End Tenancy for Landlord's Use of Property.

The tenant's monetary claim was refused under section 52(5)(c) as the tenant failed to provide sufficient details of her monetary claim for compensation as required by section 52(2)(b) of the *Act*. The tenant is at liberty to reapply for her monetary claim and is reminded to include full particulars of her claim.

Given the above, I do not grant the recovery of the tenant's filing fee.

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 *Manufactured Home Park Tenancy Act*.

Dated: May 6, 2014

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Residential Tenancy Branch

