



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RR, RP, MNDC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to have the landlord make repairs to the unit, site or property, to allow a tenant to reduce rent for repairs, services or facilities agreed upon but not provided and for money owed or compensation under the Act.

Both parties appeared, gave testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

Preliminary matter

On May 5, 2014, the tenant filed an application for dispute resolution, seeking the above noted relief, however, the tenant writes in the details of dispute “compensation for uncomfortable living, promises not met”.

[Reproduced as written]

On June 4, 2014, the tenant filed an amended application for dispute resolution increasing the monetary claim, however, the particulars of dispute remained unchanged.

Section 59 (2) of the Act states that an application for dispute resolution must include full particulars of the dispute that is to be the subject of the dispute resolution proceedings.

In this case, the tenant has listed several items in their application for dispute resolution, such as repairs; however, the tenant’s application does not provide any details of what repairs are sought or any further details other than noted above.

Although the tenant has submitted evidence in support of their application, such as photographs, receipts and letters, I find the tenant has failed to comply with section 59(2) of the Act, as the application for dispute resolution does not provide sufficient particulars of the dispute and the principles of natural justice require that a person be informed and given particulars of the claim against them.

In this case, the landlord was not clear on what the details of dispute were.

As a result, I dismiss the tenant's application with leave to reapply.

Conclusion

The tenant's application for dispute resolution is dismissed with leave to reapply.

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 23, 2014

Residential Tenancy Branch

