



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PEMBERTON HOLMES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

For the landlord: MND MNR MNSD MNDC FF
For tenant "AK": MNDC FF

Introduction

This hearing was convened as a result of the cross applications of the parties for dispute resolution under the *Residential Tenancy Act* (the "*Act*").

The landlord applied for a monetary order for damage to the unit, site or property, for unpaid rent or utilities, to keep all or part of the security deposit or pet damage deposit, for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, and to recover the filing fee.

Tenant "AK" applied 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.

An agent for the landlord, tenant "AK" and respondent "AS" attended the hearing.

Preliminary and Procedural Matters

Both parties were advised that their respective applications were being refused, pursuant to section 59(5)(c) of the *Residential Tenancy Act* (*Act*), as their respective applications for dispute resolution did not provide sufficient particulars as is required by section 59(2)(b) of the *Act*. The parties are at liberty to re-apply as a result, but are reminded to include full particulars of their claim when submitting their application in the "Details of Dispute" section of the application. Furthermore, when seeking monetary compensation, the parties are encouraged to use the "Monetary Order Worksheet" (Form RTB-37) available on the Residential Tenancy Branch website at www.rto.gov.bc.ca, under "Forms and Fees". The amount listed on the monetary

worksheet being claimed should also match the monetary amount being claimed on the application. In addition, if damages or loss are being alleged, full particulars of the damage or loss should be included in the application.

Given the above, I do not grant the recovery of the filing fee for the parties.

Conclusion

The applications of both parties have been refused pursuant to section 59(5)(c) and 59(2)(b) of the *Act*.

I make no findings on the merits of either application. The parties are at liberty to reapply. This decision does not extend any applicable time limits under the *Act*.

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: June 12, 2014

Residential Tenancy Branch

