Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, LRE, MNDC, MNR, OLC, PSF, RP, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants filed under the Residential Tenancy Act, (the "Act"), to have the landlord make emergency repairs for health and safety reasons; to suspend or set conditions on the landlord's right to enter the rental unit; for compensation for loss or other money owed; for compensation for the cost of emergency repairs already made; to have the landlord comply with the Act, regulation and/or tenancy agreement; to have the landlord provide services or facilities required by the tenancy agreement or law; to have repairs made to the unit, site or property and to recover the filing fee from the landlord.

Both parties appeared.

Preliminary matter

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

In case I have reviewed the tenants' application. I find the tenants' application does not comply with section 59(2) of the Act. As an example the tenants seek emergency repairs, general repairs and cost of emergency repairs; however, no particulars were provided, such as what emergency repairs are required, what general repairs are required or what emergency repairs they paid for. Further, the tenants' did not provide a monetary worksheet providing a detail calculation of their monetary claim.

I find the principles of natural justice require that a person be informed and given particulars of the claim against them. Therefore, I dismiss the tenants' application with leave to reapply.

Conclusion

The tenants' application 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: September 08, 2015

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Residential Tenancy Branch