



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Remax Commercial Solutions
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

MNSD, FF

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the "Act") for Orders as follows:

1. An Order to retain the security deposit - Section 38; and
2. An Order to recover the filing fee for this application - Section 72.

The Tenant did not appear. The Landlord appeared and the only matter dealt with was the application and lack of any documentary evidence. The application makes a claim for an amount but nothing in the details of the application sets out a calculation or identification of what this amount represents. Reference in the application is made to unpaid rent however there is no detail on the amount of rent paid or unpaid. No tenancy agreement was provided as evidence.

Section 59 of the Act provides that an application must include full particulars. Further Rule 2.5 of the RTB Rules of Procedure provides that at the time of the application the applicant must submit a detailed calculation of any monetary claim being made. As there are no particulars on the matter of rent or the security deposit and as there are no calculations of the monetary claim being made I find that the Landlord's application is not sufficiently complete to proceed with the hearing. I therefor dismiss the application 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: July 19, 2016

Residential Tenancy Branch

