



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC FF

Introduction

This hearing convened pursuant to the tenant's application for monetary compensation. The tenant, counsel for the tenant and counsel for the landlord called in to the teleconference hearing.

Preliminary Issue – Insufficient Particulars

The tenant applied for \$5,000.00 compensation. The tenant did not indicate in the "Details of Dispute" section of the application how the amount of \$5,000 was calculated; nor did she complete a monetary order worksheet. Instead, the tenant referred to an attached appendix that formed part of the tenant's evidence.

Within the evidence, the tenant claimed \$5,000.00 in "general damages," as well as an unspecified amount for aggravated damages. The tenant's counsel stated that the tenant did not complete a monetary order worksheet because the general damages were non-pecuniary and can't be put on a worksheet.

The landlord's counsel stated that because of the lack of particulars to support the tenant's claim, she could not advise the landlord how to respond to the tenant's claim.

I found that the tenant's claim for "general damages" failed to provide sufficient particulars, and therefore the landlord was unable to adequately prepare to respond to the tenant's claim. Further, any claim for aggravated damages must be specifically identified in the application and indicate a dollar figure for the amount claimed in aggravated damages.

As the application failed to provide sufficient particulars, I dismissed the application with leave to reapply, as per section 59 of the Act.

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: October 6, 2016

Residential Tenancy Branch

