



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CASCADIA APARTMENTS RENTALS LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDC FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants seeking remedy under the *Residential Tenancy Act* (the “Act”) for a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenants and an agent for the landlord (the “agent”) attended the teleconference. The parties were affirmed and the hearing process was explained to the parties, and an opportunity to ask questions about the hearing process was provided to the parties.

### Preliminary and Procedural Matters

The tenants were advised that their entire application was being refused, pursuant to section 59(5)(c) of the *Residential Tenancy Act* (Act), as their application for dispute resolution and the supporting monetary order worksheet indicated different monetary amounts which was confusing to the respondent and the undersigned arbitrator.

Both parties have the right to a fair hearing. The respondent would not have the opportunity to know the full details of the actual claim against them when conflicting monetary amounts exist between the details of dispute and the Monetary Order Worksheet.

The tenants are at liberty to re-apply as a result and are reminded when seeking monetary compensation to ensure that monetary amount specified in the details of dispute matches the “Monetary Order Worksheet” (Form RTB-37) available on the Residential Tenancy Branch website at [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca), under “Forms”. This will prevent any confusion on the part of the respondent and arbitrator.

Given the above, I do not grant the recovery of the tenants’ filing fee.

Conclusion

The tenants application has been refused pursuant to section 59(5)(c) and 59(2)(b) of the *Act*.

I make no findings on the merits of the tenants' application. The tenants 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: January 5, 2017

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Residential Tenancy Branch