



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes DRI, ERP, LRE, MNDC, OLC, PSF, RP

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for a monetary order for money owed for compensation for damage or loss under the Act, to have the landlord make emergency repairs for health and safety reason, to dispute an addition rent increase, to make repairs, to provide services or facility, to return tenant's personal property and suspend or set condition on the landlords right to enter.

Both parties appeared.

### Preliminary and procedural matter

In this case, the tenant seeks a monetary order in the amount of \$49,999.00. While the tenant file an application to amend their claim to \$24,999.00, the tenant did not serve a copy of the amendment on the landlords as required by the Act. Therefore, I find it appropriate to decline to hear the monetary claim due to lack of jurisdiction as the monetary portion exceeds the amount allowable under the Act.

Further, I find the tenant's application does not comply with section 59 of the Act, as there is insufficient particulars, such as what emergency repairs they are seeking or what additional rent increase was received. The principles of natural justice require that a person be informed and given full particulars of the claim against them when the application is filed. Therefore, I find it appropriate to dismiss this portion with leave to reapply.

I caution the tenant that they must comply with the Residential Tenancy Branch Rules of Procedures, should they file any future claim with the Residential Tenancy Branch. All evidence available must be filed with their application, to give the other party a fair opportunity to respond.

### Conclusion

The tenant's monetary claim is dismissed due to lack of jurisdiction. The balance of their claim 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: April 27, 2017

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Residential Tenancy Branch

