



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      LRE, MNDC, OLC

### Introduction

This hearing dealt with an Application for Dispute Resolution filed by the tenant for compensation for loss or other money owed, to suspend or set conditions on the landlord right to enter and to have the landlord comply with the Act.

The tenant attended the hearing. As the landlord did not attend the hearing, service of the Notice of Dispute Resolution Hearing was considered.

The Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing.

The tenant testified the Application for Dispute Resolution and Notice of Hearing were sent by registered mail sent on April 15, 2017.

Section 90 of the Act determines that a document served in this manner is deemed to have been served five days later. I find that the landlord has been duly served in accordance with the Act.

### Preliminary and procedural matter

At the outset of the hearing the tenant indicated that the landlord's property was for sale and the showings of the property by the real estate agent were impacting their tenancy. The tenant stated that the landlord is no longer selling the property, so they no longer need to suspend or set conditions on the landlord right to enter.

In this case, the tenant is seeking monetary compensation; however, the details of dispute in their application do not provide sufficient details of their monetary claim. Further, the monetary worksheet that the tenant has submitted in support of their application is blank.

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 and the principles of natural justice require that a person be informed and given particulars of the claim against them. I find the tenant has not completed their application in accordance with section 59(2) of the Act.

Based on the above, I find it appropriate to dismiss the tenant's 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: May 29, 2017

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Residential Tenancy Branch