



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, OLC, FF

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing via conference call and provided affirmed testimony. Both parties confirmed receipt of the submitted documentary evidence. As both parties have attended and have confirmed receipt of the submitted documentary evidence, I am satisfied that both parties have been sufficiently served as per sections 88 and 89 of the Act.

At the outset, the tenant was unable to provide the particulars of her claim for dispute other than a monetary amount as filed. The tenant did not provide a monetary order worksheet detailing the monetary claim. Extensive discussions with both parties revealed that the tenant failed to provide any particulars of the claim to the Residential Tenancy Branch or to the landlord within the application for dispute or the tenant's submitted documentary evidence. I find that the tenant has failed to coherently present her monetary claim in a manner that would allow the landlord a fair opportunity to respond to the tenant's claim. As such, the tenant's monetary claim is dismissed with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

Both parties also confirmed that the tenant has since vacated the rental unit. As such, it was discussed at length with both parties that as the tenancy has ended that the

tenant's request for the landlord to comply with the Act, regulations or tenancy agreement in relation to this tenancy relationship was no longer required.

At the end of the conference call the tenant advised that she has a new mailing address as she has since moved since filing her application for dispute. The tenant provided a new mailing address for delivery of the decision.

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: June 16, 2017

Residential Tenancy Branch