



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding FIRM MANAGEMENT CORPORATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC

Introduction

This hearing dealt with a tenant's application for a Monetary Order for damages or loss under the Act, regulations or tenancy agreement. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

At the outset of the hearing, I confirmed that the tenant had served the landlord with the same documents that had been submitted to the Residential Tenancy Branch and I advised the parties that I would admit the tenant's evidence.

I noted that the tenant had provided two previous dispute resolution file numbers in the "Details of dispute" box on the Application for Dispute Resolution and the following notation: "VI5593 Rob". The tenant did not know the meaning of the notation and suggested it was a doodling. I also noted that none of the documents that had been submitted to the Residential Tenancy Branch appeared to be a detailed description of the nature of the dispute. I asked the tenant to point to where the nature of the dispute was provided and a description as to how he arrived at a monetary claim of \$10,000. The tenant did not point to any particular document with the exception of a "Census reminder" he had submitted into evidence. The tenant began to provide various statements as to the reason for making this Application for Dispute Resolution that I found to be nonspecific and unrelated, including:

- A census form was admitted as an exhibit in The Supreme Court of Canada
- "The lady" was fired after the tenant filed this Application for Dispute Resolution
- The tenant suffered aggravation having to go to court
- A person not identified in the documents before me was in Canada illegally
- Car detailing and power washing were taking place in "the driveway" which made the tenant sick.

I turned to the landlord and asked the landlord if he understood that nature of the tenant's claim. The landlord stated that he had no idea what the claim was about and that he considered this Application for Dispute Resolution to be frivolous and a waste of time. The landlord also confirmed that he had not provided evidence in response to the tenant's Application for Dispute Resolution since he did not know what evidence to provide.

As I explained to the tenant during the hearing, every applicant is required to provide written details of the nature of the dispute with their Application for Dispute Resolution. This is found in section 59(2)(b) of the Act where it states:

(2) An application for dispute resolution must

...(b) include full particulars of the dispute that is to be the subject of the dispute resolution proceedings, and

Rule 2.2 of the Rules of Procedure requires the issues to be identified on the Application for Dispute Resolution. Rule 2.5 of the Rules of Procedure also provide that a detailed monetary calculation must accompany the Application for Dispute Resolution.

Dispute resolution proceedings are based on the principles of natural justice. The above requirements are in keeping with the principles of natural justice and afford the respondent the opportunity to understand the nature of the claims against them and to prepare a response or defence.

Given the lack of full particulars, a clearly identified issue, and a monetary calculation with this Application for Dispute Resolution I did not proceed to further consider the tenant's Application for Dispute Resolution and it is dismissed.

Conclusion

The tenant's Application for Dispute Resolution is dismissed.

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: August 29, 2017

Residential Tenancy Branch