



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ENTRE NOUS FEMMES HOUSING SOCIETY  
and [tenant name suppressed to protect privacy]

## DECISION

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### Introduction

This hearing was convened as a result of the tenant's application for dispute resolution seeking remedy under the *Residential Tenancy Act* (the "*Act*"). The tenant applied to dispute a charge by the landlord for unpaid rent for a month and to recover the cost of the filing fee.

The tenant and an agent for the landlord (the "agent") appeared at the teleconference hearing and gave affirmed testimony. Neither party raised any concerns regarding the service of documentary evidence.

### Preliminary and Procedural Matter

At the outset of the hearing, the agent testified that due to not having the tenant's forwarding address, the landlord went to collections instead of filing a claim for unpaid rent/loss of rent against the tenant and now the landlord has the tenant's mailing address based on the tenant's application. The agent confirmed that to date, the landlord has not filed a monetary claim against the tenant for unpaid rent or utilities, or loss of rent.

As a result, the parties were advised that I find the tenant's application to be premature as the tenant is requesting to dispute a monetary claim that has not yet been applied for by the landlord.

### Analysis

Based on the above, I find the tenant's application to dispute a charge that the landlord has not yet applied for and been granted under the *Act* is **premature**. Therefore, I dismiss the tenant's application **with leave to reapply**.

I do not grant the recovery of the cost of the filing fee as a result.

Conclusion

The tenant's application is premature and is dismissed, with leave to reapply.

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: September 22, 2017

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Residential Tenancy Branch