



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNR, MND, MNSD, FF

### Introduction

On April 11, 2017, the Landlord submitted an Application for Dispute Resolution seeking a monetary order for unpaid rent and damage to the rental unit; to retain the security deposit; and to recover the cost of the filing fee.

This matter was set for hearing by telephone conference call at 1:00 PM on this date. The Landlord attended the hearing; however, the Tenant did not. The Landlord testified that she does not have the Tenant's address so she served the Notice of Hearing to the Tenant in person at the Tenant's workplace.

The Landlord's Application did not provide an amount of the monetary claim. The Landlord provided a monetary order worksheet; however, the section of the worksheet that lists the claims and amount of each claim was blank.

Section 59 of the *Residential Tenancy Act* states that an application for dispute resolution must include full particulars of the dispute that is to be the subject of the dispute resolution proceedings. An Arbitrator may refuse to accept an application if the application does not comply with the requirement to provide the full particulars of the dispute.

Section 2.5 of the Residential Tenancy Branch Rules of Procedure states an applicant must submit:

- *a detailed calculation of any monetary claim being made*

I find that the Tenant was not served with the full particulars of the Landlord's claim. I find that it would be unfair to the Tenant to allow the Landlord to identify her claims and assign a monetary amount to each item of her claim at the time of the hearing.

I find that the Landlord failed to provide the full particulars of her claim and I refuse to accept the Landlord's application. The Landlord's application 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: September 05, 2017

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Residential Tenancy Branch