



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNC

Introduction

On November 19, 2018, the tenant's application for dispute resolution was dismissed.

On November 21, 2018, the tenant made an application for review consideration, which was granted on the basis that they were unable to attend at the original hearing because of circumstances that could not be anticipated and were beyond their control.

The Arbitrator ordered the parties to participate in a new hearing, and the original decision was suspended. The Arbitrator at the new hearing may confirm, vary or set aside the original decision.

This new hearing dealt with an Application for Dispute Resolution by the tenant to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and Utilities (the "Notice") and monetary compensation.

Both parties appeared.

Preliminary and procedural matters

At the outset of the hearing the parties confirmed that the tenant has vacated the rental unit. As a result, I find it not necessary to consider the merits of the Notice. Therefore, I dismiss the portion of the tenant's claim.

In this case, the tenant is claiming monetary compensation; however, the tenant has not provided details of the claim or a detail calculation. 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. Therefore, I dismiss this portion of the tenant's claim with leave to reapply.

Based on the above, the original decision is varied to allow the tenant leave to reapply for monetary compensation. The balance of the decision is confirmed.

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: January 09, 2019

Residential Tenancy Branch