



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for a monetary order for monetary loss or other money owed.

Both parties appeared.

At the outset of the hearing the landlord's agent indicated that the tenants claim for \$35,000.00 was heard on July 18, 2018, and was dismissed without leave to reapply. A copy of the decision was provided for my review.

I find the principals of res judicata would apply, as a matter that has already been heard will not be reheard as a decision has already been made.

Further, the tenant filed a new application for dispute resolution on October 2, 2018, claiming a further \$35,000.00. While I accept some issues may not be the same, I find the tenant's application does not comply with section 59 of the Act. The tenant did not provide the full particulars of the claim, as there are very little details in their application.

Furthermore, the tenant provided no monetary work sheet to give a detail calculation as to how they arrived at the amount of \$35,000.00. The tenant provided no documents in support of their claim. Therefore, I find the tenant has not complied with the Act.

Based on the above, I dismiss the tenant's application without leave to reapply. I find the tenant is not entitled to make any further applications related to this tenancy, as it appears the tenant is abusing the process.

I also note that the tenant stated that because he is a bailiff that his testimony would be accepted over the other party. The tenant was informed that his job has no bearing to the credibility of a party.

Conclusion

I dismiss the tenant's application without 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: January 31, 2019

Residential Tenancy Branch