



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding VERITAS HOLDINGS LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants to have the landlord comply with the Act, regulation and/or tenancy agreement and to recover the filing fee.

Both parties appeared.

Preliminary and Procedural matters

At the outset of the hearing the tenant indicated that they have vacated the rental unit.

Since this hearing was to have the landlord comply with the Act, regulation, and/or tenancy agreement, I find it not necessary to make any orders against the landlord as the tenancy has legally ended. Therefore, I dismiss the tenants' application. As I have dismissed the tenants' application, I decline to award the filing fee.

Further, the tenants have submitted evidence that relate to a monetary claim; however, the tenants' application does not include a claim for compensation. The tenants did not make a formal amendment to their application. A claim cannot be made through evidence.

59 (1) [Repealed 2006-35-83.]

(2) **An application for dispute resolution must**

- (a) be in the applicable approved form,
- (b) **include full particulars of the dispute that is to be the subject of the dispute resolution proceedings,** and
- (c) be accompanied by the fee prescribed in the regulations.

As the tenants have not complied with section 59 of the Act, I find it would be unfair and prejudicial to the landlord to consider any claim for compensation. The tenants are at liberty to file an application for compensation; however, it must include the full particulars of the dispute as required by section 59 of the Act.

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: March 04, 2019

Residential Tenancy Branch