



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDL, MNRL, MNDCL, FFL

Introduction

This hearing was convened as a result of the landlord's Application for Dispute Resolution ("application") seeking remedy under the *Residential Tenancy Act* ("Act"). The landlord applied for a monetary order in the amount of \$10,585.85 and to recover the cost of the filing fee.

The landlord attended the teleconference hearing; the tenant did not attend.

Preliminary and Procedural Matters

At the outset of the hearing, the landlord was advised that his application was being refused, pursuant to section 59(5)(c) of the *Act* because his application did not provide sufficient particulars of his claim for compensation, as is required by section 59(2)(b) of the *Act* and Rule 2.5 of the Residential Tenancy Branch ("RTB") Rules of Procedure ("Rules").

Specifically, the landlord failed to provide a breakdown for the \$10,585.85 amount claimed at the time the landlord applied or before the 14 day deadline under the Rules to submit evidence expired.

I find that proceeding with the landlord's claim at this hearing would be prejudicial to the tenant, as the absence of particulars that set out how the landlord arrived at the amounts being claimed makes it difficult, if not impossible, for the tenant to adequately prepare a response, should he choose to.

Given the above, the landlord is granted liberty to reapply but is reminded to provide full particulars of their monetary claim. The landlord may include any additional pages to set out the details of their dispute in their application, as required.

In addition to the above, as the landlord provided his email address, the landlord will receive this decision by email at the email addresses confirmed during the hearing. There is no known email address for the tenant.

I do not grant the landlord the recovery of the cost of the filing fee as I have refused his application.

Conclusion

The landlord's application has been refused pursuant to sections 59(5)(c) and 59(2)(b) of the *Act*. The landlord is at liberty to reapply for their monetary claim; however, is encouraged to provide a detailed breakdown of any future monetary claim at the time an application is submitted in accordance with Rule 2.5 of the RTB Rules.

I do not grant the filing fee.

This decision does not extend any applicable timelines under 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: September 6, 2019

Residential Tenancy Branch