



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCT RR FFT

### Introduction

This hearing was convened as a result of the tenant's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (the Act). The tenant applied for a monetary order in the amount of \$4,500.00 for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, for a rent reduction, and to recover the cost of the filing fee.

The tenant, a support person for the tenant AH (support person) and the landlord appeared at the teleconference hearing. The hearing process was explained to the parties and the parties were affirmed. The parties were also provided the opportunity to ask questions. Words utilizing the singular shall also include the plural and vice versa where the context requires.

### Preliminary and Procedural Matter

At the outset of the hearing, the tenant was asked to explain how they arrived at the amount of \$4,500.00 being claimed, and the tenant responded that they made an error. The parties were advised that the tenant's application was being refused, pursuant to section 59(5)(c) of the Act because their application for dispute resolution did not provide sufficient particulars of their claim for compensation, as is required by section 59(2)(b) of the Act.

I find that proceeding with the tenant's monetary claim at this hearing would be prejudicial to the landlord, as the absence of particulars that set out how the tenant arrived at the amount of \$4,500.00 makes it difficult, if not impossible, for the landlord to adequately prepare a response to the tenant's claim. The tenant failed to specify a detailed breakdown of their monetary claim including the amount of each item and what each item being claimed represents. In addition, the tenant stated that they have since

vacated the rental unit, and is seeking their security deposit, which is not part of the claim before me, and to which the landlord stated that the tenant has failed to provide their written forwarding address to the landlord since vacating the rental unit.

The tenant is at liberty to reapply; however, is reminded to provide a detailed breakdown of their monetary claim and are encouraged to use the Monetary Worksheet available at [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca) when submitting a monetary claim. The tenant may include any additional pages to set out the details of their dispute in their application, as required.

### Conclusion

The tenant's application has been refused pursuant to sections 59(5)(c) and 59(2)(b) of the Act. The tenant 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. Failure to do so could result in the application being refused again with leave to reapply not being granted.

This decision will be emailed to the parties at the email addresses confirmed by the parties during the hearing.

The tenant is reminded to review section 38 of the Act in terms of their requirement to provide a written forwarding address to the landlord within one year of the end of tenancy.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: May 22, 2020

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Residential Tenancy Branch