



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MDNCT FFT

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants seeking remedy under the *Residential Tenancy Act* (the Act) for a monetary order in the amount of \$33,100.00 for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenants, counsel for the tenants (counsel), the landlord and the spouse of the landlord (spouse) attended the teleconference. The parties were affirmed, and the hearing process was explained to the parties. The parties were also provided an opportunity to ask questions about the hearing process.

### Preliminary and Procedural Matter

The tenants were advised that their entire application was being refused, pursuant to section 59(5)(c) of the Act as their application for dispute resolution did not provide sufficient particulars as is required by section 59(2)(b) of the Act. In other words, the tenants failed to specify what items added up to the \$33,100.00 amount being claimed, which the respondent has the right to know to be able to prepare for the hearing and serve any rebuttal evidence on the applicant within the timelines under the Act and Rules of Procedure.

The tenants are at liberty to re-apply as a result; however, are reminded to include full particulars of their claim when submitting their application in the “Details of Dispute” section of the application. Furthermore, when seeking monetary compensation, they applicants are encouraged to use the “Monetary Order Worksheet” (Form RTB-37) available on the Residential Tenancy Branch website at [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca), under “Forms and Fees”. The amount listed on the monetary worksheet being claimed should also **match the monetary amount being claimed on the application**.

Given the above, I **do not** grant the recovery of the tenants' filing fee.

Conclusion

The tenants' application has been refused pursuant to section 59(5)(c) and 59(2)(b) of the Act.

I make no findings on the merits of the tenants' application. The tenants are at liberty to reapply. This decision does not extend any applicable time limits under the Act.

The filing fee is not granted as a result of the above.

This decision will be emailed to the parties as indicated during the hearing.

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: July 10, 2020

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Residential Tenancy Branch