



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDL-S, MNDCL-S, FFL

Introduction

This hearing dealt with an Application for Dispute Resolution filed by the Landlords under the Residential Tenancy Act, (the “Act”), for a monetary order for compensation for my monetary loss, for a monetary order for damages, permission to retain the security deposit and an order to recover the cost of filing the application. The matter was set for a conference call.

One of the Landlords and the Tenant attended the hearing and were each affirmed to be truthful in their testimony. Both the Tenant and the Landlord were provided with the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Preliminary Matter – Missing Details of Monetary Claim

At the outset of these proceedings, it was noted that the Landlords had not included a monetary worksheet with their application for Dispute Resolution. The Landlord testified that they had included their receipts and invoices to support their claim but confirmed that they had not included a detailed calculation of the monetary claim being made.

The Tenant testified that they were unclear of the details of the claim being made against them in today's proceedings.

I find that it would be procedurally unfair to the Tenant to continue in this proceeding when they have not been provided with a detailed calculation of the monetary claim being made against them.

Accordingly, I find it appropriate to dismiss the Landlord's claim with leave to reapply.

Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply; however, this does not extend any applicable time limits under the legislation. I have not made any findings of fact or law with respect to the Application.

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: July 31, 2020

Residential Tenancy Branch