



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding LOCKE PROPERTY MANAGEMENT  
LTD. and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDCT

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67.

Both parties attended the hearing via conference call and provided affirmed testimony. Both parties confirmed the tenant served the landlord with the notice of hearing package and the tenant's submitted documentary evidence via Canada Post Registered Mail on November 17, 2020. Both parties confirmed the landlord served the tenant with the submitted documentary evidence in person. I accept the undisputed affirmed evidence of both parties and find that both parties have been sufficiently served with the notice of hearing package and the submitted documentary evidence as per sections 88 and 89 of the Act.

At the outset, the tenant was asked if he had completed a monetary order worksheet, RTB-37, a form detailing the tenant's monetary claim for \$4,680.00. Despite the tenant confirming that the form was completed and submitted as part of the application package attempts at locating the completed form were unsuccessful. The landlord stated that he was familiar with the form but that it was not part of the tenant's documents. An effort was made to locate the document in the tenant's evidence with out success. The tenant was given an opportunity to organize his documentary evidence in an attempt to locate the missing form. Despite 30 minutes of hearing time, the tenant was unable to locate the form. The tenant was then asked if he had written out the monetary claim details anywhere in his application for dispute. The tenant responded that they were in the application but was unable to locate it. The landlord

referred to part of the tenant's evidence submission which contains some receipts for moving and utility hookups. The tenant confirmed that the receipts submitted are some of his expenses after moving out of the rental unit, but that there were others. The tenant was unable to provide any further details for his monetary claim.

The tenant's application was dismissed without leave to reapply as the tenant has failed to provide sufficient details of the monetary claim. The landlord was present and able to respond to the tenant's claim, but was still unaware of the tenant's claim details.

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: February 26, 2021

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Residential Tenancy Branch