



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RPP

Introduction

This hearing was convened as per the tenant's Application for Dispute Resolution (the "Application") seeking remedy under the *Residential Tenancy Act* (the "Act"). The tenant applied for the return of their personal property from the landlord.

The landlord and tenant both attended the teleconference hearing on September 24, 2021.

Neither party could verify they received prepared evidence of the other in advance. Each party was aware of both prior and upcoming hearings concerning other issues.

Preliminary and Procedural Matter

At the outset of the call, the landlord had the chance to explain their side of the issue. They explained that the tenancy ended in December 2020, and the tenant came to retrieve their property approximately December 11. They maintained they have no personal property of the tenant now. The tenant denied this, stating that any material the landlord threw out as trash was not in fact garbage.

On my review of the tenant's Application, and the testimony they provided, I refuse their Application for a return of personal property. This is pursuant to s. 59(5)(c) of the *Act*, where the tenant did not provide full particulars of the dispute. The tenant did not state *what* personal property they want returned. Nor did they state *why* they believe the landlord still has their personal property.

Given the above, the tenant may reapply; however, I remind the tenant to provide a detailed itemized list of what they believe the landlord is holding. They may include any additional pages to set out the details of their dispute in more detail, as is required.

Conclusion

I dismiss the tenant's Application pursuant to s. 59(5)(c) and 59(2)(b) of the *Act*. The tenant is at liberty to reapply for; however, such a ground for relief requires detail when they submit their application.

This decision is final and binding on the parties. This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the *Residential Tenancy Act*.

Dated: September 24, 2021

Residential Tenancy Branch