



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **MNDCT, RPP**

### Introduction

This hearing dealt with an Application for Dispute Resolution filed on April 4, 2022 by the tenant filed under the *Residential Tenancy Act* (the “Act”) , for return of personal property, and for a monetary compensation.

On April 21, 2022, the tenant filed an amended application increasing their claim from \$12,500.00 to \$17,000.00.

On July 6, 2022, the tenant filed a second amendment to their application by changing their address for service.

The landlord indicated they did not receive a copy of the tenant’s application and Notice of hearing. The landlord stated they did receive some evidence and they contacted the Residential Tenancy Branch on April 20, 2022 and a courteous copy was provided. I note the digital files show the landlord obtained this information from the Residential Tenancy Branch.

The landlord stated that they also received the amendments; however, they were just left in their mailbox and are uncertain as to the date they were delivered.

In this case, I have read the tenant’s application and amendments. I find the tenant’s application was not filed in compliance with section 59 of the Act, as the full particulars of the claim have not been provided. As an example, the tenant writes, “personal belongings”; no details were provided, such as an itemized list. The tenant further writes “illegal eviction” again no details were provided, such as how, or when.

Further, the tenant has not complied with the Residential Tenancy Branch Rules of Procedure 2.5, as they must provide a detail calculation of any monetary claim made. No detail calculation was provided. Therefore, I dismiss the tenant's application with leave to reapply.

Should the tenant file any future application for dispute resolution They must make one single application for dispute resolution that complies with section 59 of the Act and the Residential Tenancy Rules of Procedures. All evidence must legible and labelled with pages number to ensure the other party received all pages. The tenant must submit at the time their application is filed all evidence they wish to rely upon. The tenant must serve any future application on the landlord by registered mail. A copy of this Decision can be filed as evidence to show the tenant must comply with the above requirements.

At the hearing the landlord indicated they have a box of the tenant's belongings that they would like removed. The parties agreed that the tenant will attend the property on August 6, 2022, at 5PM to retrieve those belongings. Therefore, **I Order the tenant to attend the property on August 6, 2022, at 5 PM to remove their belongings.** Should the tenant fail to attend at on the date and time the landlord can deem those belongings to be abandoned.

### Conclusion

The tenant's application is dismissed with leave to reapply. The tenant must comply with my above instruction should they file any future application. I order the tenant to attend the property on August 6, 2022, at 5PM to pickup their belongings. Should the tenant fail to attend the landlord can consider those items abandoned.

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 29, 2022

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Residential Tenancy Branch