



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

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

- an order requiring the landlord to return the tenant's personal property pursuant to section 65;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

The hearing was conducted by conference call. All named parties attended the hearing.

Preliminary Issue: Amendment of Tenant's Application

The tenant originally applied for an order requiring the landlord to return the tenant's personal property. The only monetary amount requested in the tenant's application was the \$100 filing fee. The tenant now states she is no longer seeking a return of the personal property but instead \$35,000 in monetary compensation.

Notes on file indicate the tenant was advised to file an amendment if she was seeking additional monetary compensation. The tenant stated she uploaded an amendment to the Dispute Resolution website. There is no amendment application on file as required by the Residential Tenancy Branch Rule of Procedure 4.1. The tenant also referred to some evidence submissions which also do not appear to be on file.

As the tenant failed to file an amendment application as required, the tenant's application is dismissed in its entirety with leave to reapply.

Conclusion

I dismiss the tenant's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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: May 26, 2023

Residential Tenancy Branch