



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC OLC RR FF

Introduction

This hearing was convened as a result of the tenants' application for dispute resolution seeking remedy under the *Residential Tenancy Act* (the "*Act*"). The tenants applied for a monetary order in the amount of \$280.00 for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, for an order directing the landlord to comply with the *Act*, regulation or tenancy agreement, to allow the tenants to reduce rent for repairs, services or facilities agreed upon but not provided, and to recover the filing fee.

The tenants and the landlords appeared at the teleconference hearing. The hearing process was explained to the parties and an opportunity to ask questions about the hearing process was provided to the parties.

Preliminary and Procedural Matter

At the outset of the hearing, the parties were advised that the tenants' application for monetary compensation was being refused, pursuant to section 59(5)(c) of the *Residential Tenancy Act (Act)*, because their application for dispute resolution did not provide sufficient particulars of their claim, including their claim for compensation, as is required by section 59(2)(b) of the *Act*. For example, the tenants failed to provide the section of the *Act* they were seeking have the landlords comply with and failed to provide a monetary breakdown of their claim for compensation.

I find that proceeding with the tenants' application at this hearing would be prejudicial to the landlord, as the absence of particulars that set out how the tenants arrived at the amount listed for compensation and the section of the *Act* that they wanted the landlords to comply with makes it difficult, if not impossible, for the landlords to adequately prepare a response to the tenants' application.

The tenants are at liberty to reapply, however, are reminded to provide a detailed breakdown of their monetary claim and are encouraged to use the Monetary Worksheet available at www.rto.gov.bc.ca when submitting a monetary claim. The tenants may include any additional pages to set out the details of their dispute in their application, as required, and to provide sufficient details relevant to each portion of their application.

Conclusion

The tenants' application has been refused pursuant to sections 59(5)(c) and 59(2)(b) of the *Act*. The tenants are at liberty to reapply; however, are encouraged to provide a detailed breakdown of any future monetary claim at the time an application is submitted, including sufficient details of all other portions of their application.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: January 28, 2014

Residential Tenancy Branch

