



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

INTERIM DECISION

Dispute Codes: MNR, MNSD, MNDC and FF

Introduction

These applications were brought by both the landlord and the tenant.

By application received December 10, 2008, the landlord seeks a Monetary Order for loss of rent, damages and recovery of the filing fee for this proceeding.

By application received January 2, 2009, the tenant seeks return of his security deposit and recovery of the filing fee for this proceeding.

Preliminary Matters

As a preliminary matter, legal counsel for the tenant wrote to the Residential Tenancy Branch on January 21, 2009 advising that his client would be out of the country on the date set for the hearing and requesting an adjournment.

The adjournment is so granted to a date and time set out in the attached Notice of Hearing.

In a second letter on the same date, legal counsel for the tenant requested a Summons for issue to the property manager of the rental building to attend the hearing when it reconvenes.

Copies of the summons accompany the landlord's legal counsel's copy of this decision for service on the witness with a copy of the Notice of Hearing.

In addition, both parties gave evidence that neither had received the other's evidence although both had sent it. The tenant's evidence had been received by the Residential Tenancy Branch but the landlord's had not.

Both parties agreed to exchange evidence again, and the landlord agreed to provide her evidence to the branch. The landlord also provided a new address.

February 5, 2009.

Dispute Resolution Officer