



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OLC, MNDC, RPP, O

Introduction

This hearing was scheduled to hear the tenant's application for Orders for the landlord to comply with the Act, regulations or tenancy agreement, a Monetary Order for damage or loss under the Act, regulations or tenancy agreement, an Order for the landlord to return the tenant's personal property and other issues. The landlord did not appear at the hearing. The tenant testified that he served the landlord with notification of this hearing by registered mail sent on December 11, 2009. The tenant verbally provided a tracking number as evidence of the registered mail.

The tenant testified that his advocate had served an evidence package upon the Residential Tenancy Branch although he was unsure as to what date that was done and that he had personally served the landlord with his evidence package on January 15, 2009.

As I did not have an evidence package before me and the tenant acknowledged that the landlord was served with the evidence package late, the tenant requested this application be withdrawn so that he can make another application and serve his evidence within the required time limits.

Conclusion

I accepted the tenant's request to withdraw this application and I dismissed this matter with leave to reapply. As information for the parties, the Rules of Procedure, which are

available from the Residential Tenancy Branch, including their website, provide for the time limits for serving evidence.

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: January 19, 2010.

Dispute Resolution Officer