

Interim Decision

Dispute Codes:

MND, MNSD, FF

Introduction

This is the Landlord's application for a Monetary Order for damage to the rental unit; to apply the security deposit towards satisfaction of their monetary award; and to recover the cost of the filing fee from the Tenants.

Both parties gave affirmed testimony.

Preliminary Matters

At the onset of the Hearing, the Landlord testified that she provided the Tenants with the Notice of Hearing documents, including all of the evidence. The Tenant advised that he had received some, but not all of the Landlord's evidence, and in particular, a copy of the Tenancy Agreement. The Tenant testified that he had not signed a Tenancy Agreement with the Landlord, and furthermore that the other Tenant was not a party to a Tenancy Agreement.

The Hearing was adjourned for the Landlord to re-serve the Tenants with all of the documents. The Tenant confirmed the address for service of the documents, which is the same address that the Landlord gave on her Application for Dispute Resolution.

I order that the Landlord courier the evidence package to the Tenants at the address for service provided by the Tenant. The Landlord will be required to prove service of the evidence package upon the Tenants.

Notices of Reconvened Hearing accompany this Interim Decision.

This interim 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*.

March 17, 2010

Date of Decision