



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MND, MNR, MNSD, FF

Introduction

This is the Landlords' application for a Monetary Order for unpaid rent and damages to the rental unit in the amount of \$4,400.00; to apply the security deposit towards partial satisfaction of their monetary award; and to recover the cost of the filing fee from the Tenant.

Preliminary Matters

The Hearing was scheduled for 9:00 a.m. via telephone conference. The Tenant did not sign into the Hearing by 9:10 a.m. The Landlord stated that he served the Tenant by way of UPS parcel on April 12, 2010. There was no documentary evidence on the case file (for example, no documents to prove service of the Notice of Hearing documents, no copy of the tenancy agreement, no documentary evidence of any damages the Landlords seek to recover). The Landlord stated that he provided the Residential Tenancy Branch with documentary evidence on August 11, 2010 (yesterday).

Analysis

Evidence must be provided to the Respondent/Tenant and to the Residential Tenancy Branch at least 5 clear days before the Hearing. The Landlords did not provide sufficient evidence to prove service of the Notice of Hearing documents upon the Tenant. Therefore, the Landlords' application is dismissed with leave to reapply.

Conclusion

The Landlords' application is dismissed with leave to reapply.

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: August 12, 2010.

Dispute Resolution Officer