



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Tenant's application filed May 9, 2011: MNDC; ERP; RP; FF
Landlord's application filed May 14, 2011: OPR; MNR; MNSD; FF

Introduction

This Hearing was scheduled to consider cross applications. The Tenant applied for compensation for damage or loss; for an Order that the Landlord make emergency repairs and regular repairs to the rental unit; and to recover the cost of the filing fee from the Landlord. The Landlord applied for an Order of Possession for unpaid rent, for a Monetary Order for unpaid rent; to apply the security deposit in partial satisfaction of its monetary award; and to recover the cost of the filing fee from the Landlord.

These applications were scheduled to be heard via teleconference on June 1, 2011, at 10:30 a.m. The Landlord's agent signed into the conference on time and was ready to proceed, however by 9:10 a.m., the Tenant had not yet signed into the teleconference. The Landlord's agent testified that he was served with the Tenant's application. Therefore, the Tenant's application is dismissed without leave to reapply.

The Landlord's agent was not able to prove service of the Landlord's application and notice of hearing documents upon the Tenant and therefore, the Landlord's application is dismissed **with leave to reapply**.

Conclusion

The Tenant's application is dismissed **without** leave to reapply. The Landlord's 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: June 10, 2011.

Residential Tenancy Branch