



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNDC, MNSD, FF

Introduction

This conference call hearing was convened in response to two applications for dispute resolution as follows:

By the landlords: as an application for a Monetary Order for damage to the unit and money owed or compensation for damage or loss under the Act, Regulation or tenancy agreement; and to recover the filing fee associated with his application.

By the tenants: as an application for the return of the security deposit, and to recover the filing fee associated with this application.

Both parties attended the hearing. At the outset, the tenants stated that although they received the notice of a dispute resolution hearing, they did not receive the landlords' package of documentary evidence. The landlords advised that they sent the evidence on July 22nd, 2011.

Section 6.3 of the *Residential Tenancy Branch Rules of Procedure* provides in part that dispute resolution proceedings may be adjourned on the Dispute Resolution Officer's initiative. I am of the view that without the landlords' evidence the tenants would be prejudiced from having a fair opportunity to be heard and to respond to the landlords' claims against them.

Accordingly, I grant an adjournment to allow the tenants to receive and review the landlords' package of evidence, and to provide the tenants with an opportunity to respond with their own evidence as required. The parties will be notified when the dispute resolution will be reconvened. In granting this adjournment, the parties are put on notice that their attendance to the next hearing is mandatory.

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: October 13, 2011.

Residential Tenancy Branch