



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes: FF MND MNSD

On November 8, 2011, the Tenant was granted a new hearing, based on his Review Application for a Decision and monetary order received by the Landlord on October 19, 2011.

The new hearing was scheduled for today.

Only the Tenant (and his witness) appeared at the hearing. When asked how he served the Landlord with the Notice of Hearing and the Review Decision, the Tenant replied he did not know that he had to serve the Landlord with the documents.

The Application for Review decision states as follows:

The tenant is expected to attend the review hearing, or, if unable, should be prepared to have an agent appear on his behalf.

Notices of hearing are included with this review consideration decision for the Tenant to serve to the Landlord within 3 days of receipt of this decision.

Each party must serve the other and the Residential Tenancy Branch with any evidence that they intend to reply upon at the new hearing.

The Tenant explained he does not understand English well, and had a friend read him the Application for Review decision. According to the Tenant, the friend did not explain to him the requirement to serve the Landlord with the documents.

Therefore, I am adjourning this hearing. The hearing will continue at the time and on the date as shown in the attached Notice of Hearing.

The Tenant is ordered to serve the Landlord, at the address for service of the Landlord set out in the Landlord's Application, by registered mail with the following:

**A copy of this Interim Decision (enclosed);
A copy of the Application for Review decision dated November 8, 2011
(enclosed);
A copy of the enclosed Notice of Hearing; and
All evidence the Tenant will rely on at the hearing.**

The Tenant is ordered to supply to the Branch, five days before the next hearing, a copy of his registered mail receipt showing he served the Landlord with the above documents.

The Tenant is cautioned that failure to follow this order will result in his application being dismissed and the earlier order being reinstated.

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: November 29, 2011.

Residential Tenancy Branch