



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNR, MNSD, MNDC, FF

This hearing dealt with the Landlord's Application for Dispute Resolution, seeking monetary orders for alleged damage to the rental unit, for unpaid rent or utilities, for compensation under the Act or tenancy agreement, to retain all or a portion of the security deposit, and to recover the filing fee for the Application.

The Landlord appeared, gave affirmed testimony and was provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

The Landlord had no evidence she had served the Tenant with her Application or the Notice of hearing.

Furthermore, the Landlord had no evidence she had a tenancy with the Tenant, such as a tenancy agreement. The Landlord gave contradictory evidence on why she had no tenancy agreement with the Tenant.

The Landlord alleges the Tenant damaged a door at the rental unit, however, the invoice for this repair is made out to a business with a different address than the rental unit.

I find the Landlord had insufficient evidence to prove she has a tenancy with the alleged Tenant or that she served the Tenant with the Application or Notice of Hearing.

Therefore, I dismiss the Landlord's Application, without leave to reapply.

Toward the end of the hearing, when I explained to the Landlord that I was dismissing her Application due to insufficient evidence, she became rude, argumentative and began yelling. I explained to her several times that the hearing had concluded,

nevertheless, the Landlord continued to yell and act inappropriately. Therefore, I ended the hearing.

This decision is final and binding on the parties, except as otherwise provided for in the Act, and 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: May 03, 2012.

Residential Tenancy Branch