



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNDC, MNR, MNSD, FF

Introduction

This hearing was convened in response to applications by the tenant and the landlord.

The tenant's application is seeking orders as follows:

1. Monetary order for money owed or compensation under the Act; and
2. Return of all or part of pet damage or security deposit.

The landlord's application is seeking orders as follows:

1. Monetary order for damages to the unit;
2. Monetary order for unpaid rent; and
3. To keep all or part of the pet damage or security deposit.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

Preliminary Issue

On January 4, 2012, at a Dispute Resolution Hearing the tenant's application for a rent reduction due to maintenance and repairs was dismissed without leave to reapply.

On April 25, 2012, the tenant filed a new application for dispute resolution. The details of dispute state "waiting for police report from Ottawa to confirm all evidence against landlord" [Reproduced as written]

The tenant has failed to provide the particulars of the dispute in his application. On January 4, 2012, an order was made dismissing the tenant's application for monetary compensation without leave to reapply. As I am unable to determine the tenants claim for compensation for lack of details of dispute. The tenant's application is dismissed without leave to reapply.

Landlord's application

The landlord faxed his evidence for this hearing to the Residential Tenancy Branch. The evidence of the landlord was there are two file numbers listed on the top of the fax covering page. The evidence of the landlord was the faxed evidence made it to one of the file number as it was available at that hearing. It appears only one file received the contents of the landlord's faxed evidence.

As a result this matter is adjourned for the purpose of the landlord filing documentary evidence for this file. If the landlord fails to provide the documentary evidence for the next scheduled hearing this matter will proceed on the verbal testimony of the parties.

The landlord's application is adjourned to a date to reconvene. A notice of adjourned hearing will be sent to both parties, with the date and time of the reconvene hearing.

Conclusion

The tenant's application is dismissed without leave to reapply.

The landlord's application is adjourned.

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: May 14, 2012.

Residential Tenancy Branch