



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD, O, MND, MNR

Introduction

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the tenants the opportunity to testify at the hearing.

The landlord did not appear at today's hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This decision deals with two applications for dispute resolution, one brought by the tenants, and one brought by the landlord. Both files were heard together.

The landlord's application is a request for a monetary order for \$15,000.00.

The tenant's application is a request for a monetary order for \$3165.00 and a request for recovery of the \$50.00 filing fee.

Decision and reasons

Landlord's application

The landlord filed for dispute resolution on April 11, 2013 requesting that a monetary order of \$15,000.00 be issued against the tenants.

The landlord was well aware of today's hearing however the landlord did not appear for today's hearing and therefore the landlord's application will be dismissed.

Tenant's application

The tenants testified that they applied for dispute resolution on March 4, 2013, however to date they have been unable to locate the landlord to serve him with notice of today's hearing.

I'm unable to proceed with the hearing unless the respondent has been served with notice of the hearing, and therefore this application will be dismissed with leave to reapply.

Conclusion

As the landlord did not appear at today's hearing the landlord's application is dismissed **without** leave to reapply.

The tenants did appear for today's hearing and therefore the tenant'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: May 27, 2013

Residential Tenancy Branch