



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Capilano Property Management Services
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, O

Introduction

This is an application for a Monetary Order for \$804.85.

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

Is the applicant entitled to a Monetary Order for \$804.85?

Background and Evidence

This is an application for a Monetary Order for \$804.85; however the applicant failed to serve any of the evidence for today's hearing on the respondent.

Analysis

The applicant claims that he was told by the Residential Tenancy Branch that he did not have to serve any evidence on the respondent; however I do not accept that claim, as it is opposite to the information given to applicants by the Residential Tenancy Branch.

Therefore since the applicant has failed to serve the evidence on the respondent, I am unable to consider any of the evidence supplied for today's hearing.

In the absence of any evidence to support the above claim this application fails.

Further, I am not willing to grant an adjournment of this matter because, since the application was filed on March 13, 2013, the applicant has had ample time to serve his evidence on the respondents.

Conclusion

This application for a Monetary Order is dismissed without 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: June 17, 2013

Residential Tenancy Branch