



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Grand Elephant Enterprises Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, MNSD, FF

There are applications filed by both parties. The Landlord seeks a monetary order for damage to the unit, site or property, to keep all or part of the security deposit and recovery of the filing fee. The Tenant also seeks a monetary order for the return of the security deposit and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenants did not attend the hearing. The Landlord states that the Tenants were served with the notice of hearing package by Canada Post Registered Mail on May 10, 2013 and has provided copies of the Canada Post Registered Mail Customer Receipt Tracking number as confirmation. The Landlord states that he is not aware of nor has he received a notice of hearing package from the Tenant.

The Landlord seeks an amendment to increase the monetary claim to \$1,000.00. The Landlord states that this late evidence/request was sent by regular mail on August 1, 2013. I find that as the Landlord has failed to provide sufficient evidence to satisfy me that the Tenant was properly served with the amendment that the Landlord's application to increase the monetary claim is denied.

At 25 minutes after the start of the hearing time with no appearance by the Tenants, the Tenant's Application was dismissed with leave to reapply as the Landlord states that he was not served with the Tenant's notice of hearing package.

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. The landlord participated in the teleconference hearing but the tenant did not. The Landlord advised he was unable to proceed today and asked that the matter be withdrawn. As such no further action is required

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: August 09, 2013

Residential Tenancy Branch

