



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes:

MND, MNR, MNSD, MNDC, FF

Introduction

This is the Landlord's application for a Monetary Order for unpaid rent, unpaid utilities and damages to the rental unit; compensation for damage or loss under the Act, regulation or tenancy agreement; to apply the security deposit in partial satisfaction of his monetary award; and to recover the cost of the filing fee from the Tenant.

The parties gave affirmed testimony at the Hearing.

The Landlord testified that he mailed the Notice of Hearing documents to the Tenant, via registered mail, on August 15, 2013. He provided the tracking numbers for the registered documents. He stated that on November 13, 2013, he placed copies of his documentary evidence in the mail box at the address the Tenant gave on the Condition Inspection Report.

Preliminary Matters

The Tenant stated that she was away and didn't see the Landlord's documentary evidence until the morning of November 18, 2013. She stated that she didn't have time to file rebuttal evidence, so she filed her own application instead on November 19, 2013. The Tenant provided the file number of her application and asked that both files be heard together.

The Landlord wished to continue with his application and stated that he was waiting for some of the bills to come in and therefore was not able to provide all of his evidence when he filed his application. However, the Landlord provided 86 pages of evidence to the Residential Tenancy Branch and to the Tenant, most of which was available to him when he filed his Application in August, 2013.

I find that the prejudice to the Tenant in not adjourning outweighs any prejudice to the Landlord by adjourning, and therefore I order that the parties' applications be heard together. I heard none of the merits of the Landlord's application.

I ORDER that the Landlord's Application be adjourned to be heard with the Tenant's application on February 13, 2014, at 2:30 p.m.

Conclusion

This matter is adjourned to be heard at the same time as the Tenant's Application on February 13, 2013, at 2:30 p.m. A Notice of Reconvened Hearing accompanies this interim Decision. The Landlord is not required to serve the Tenant with a copy of the Notice of Reconvened Hearing.

Fact sheets are available at <http://www.rto.gov.bc.ca/content/publications/factSheets.aspx> that explain evidence and service requirements. If either party has any questions they may contact an Information Officer with the Residential Tenancy Branch at:

Lower Mainland: 604-660-1020

Victoria: 250-387-1602

Elsewhere in BC: 1-800-665-8779

This interim 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: November 25, 2013

Residential Tenancy Branch

