



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, ERP, RP, FF

Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached.

The Application for Dispute Resolution claims a monetary order in the sum of \$10,000. The tenant testified that he vacated the rental unit on November 26, 2013. As a result claim for repairs are moot and there is no urgency for this matter to be heard. In the process of moving the tenant put many of his boxes into storage. He has been unable to find the relevant documentation to provide the arbitrator and the landlord.

This is not an appropriate case to grant an adjournment as it is uncertain whether the tenant will file another claim. However, I determined that should the tenant decide to proceed with the claim that it was appropriate for the Tenant to be given an opportunity to provide all of his evidence to the arbitrator and to the landlord in order for the arbitrator to decide the matter on its merits.. **With the consent of the parties I ordered that the application be dismissed with liberty to re-apply.** I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period. The tenant must file a new Application for Dispute Resolution if he decides to proceed with this claim.

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: December 12, 2013

Residential Tenancy Branch

