



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking a monetary order.

These hearing were conducted via teleconference and were attended by the landlord and both tenants.

The hearing was original convened on July 11, 2014 at which time it was determined that the landlord had failed to serve the tenants and the residential tenancy branch with all of the evidence he intended to rely upon. I order the hearing adjourned and ordered the landlord to serve the tenants and the branch with his evidence.

When the hearing re-convened on September 23, 2014 the evidence submitted by the landlord indicated that he was still awaiting a response from the strata as to whether or not he would be held responsible for the costs to repair water damage in an adjacent unit as a result of his tenant's actions.

During this discussion I pointed out that as the landlord has not yet finalized whether or not he is responsible to the strata for this claim that he is making against the tenants that the determination of whether the tenants should be held responsible for any damage is premature.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for damage to another unit as a result of actions of the tenants, pursuant to Sections 32, 67, and 72 of the *Residential Tenancy Act (Act)*.

Conclusion

Based on the above, I dismiss this Application for Dispute Resolution in its entirety 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: September 26, 2014

Residential Tenancy Branch

