



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes**

ERP, RP, RR, MNDC, O, FF

### **Introduction**

This hearing was convened in response to an un-amended application by the tenant for Orders to repair and reduce rent, and a Monetary Order for \$8740.00, and recover the filing fee.

Both parties attended the conference call hearing. The tenant acknowledged receiving all information with their application and Notice of Hearing on the requirements to advance their application. The tenant further acknowledged not submitting any evidence upon which they intend to rely to support any facet of their application, despite possessing it.

### **Analysis**

The Rules of Procedure prescribe that any and all the applicant's evidence must be received by the respondent and the Branch no later than 14 days before the hearing, and the respondent's evidence no later than 7 days before the hearing to allow the respondent opportunity to review and respond to the landlord's evidence. I find that to ensure a fair and efficient process the exchange of evidence must be in concert with the Rules respecting it. As no evidence has been submitted I find that both party is prejudiced by the omission and as a result **I dismiss** the tenant's claim, with leave to reapply.

It must be noted that it is available to a party to obtain assistance in respect to a dispute, personally, or via [www.gov.bc.ca/landlordtenant](http://www.gov.bc.ca/landlordtenant).

### **Conclusion**

The tenant's claim **is dismissed**, with leave to reapply.

**This Decision is final and binding on both parties.**

*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 23, 2014

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Residential Tenancy Branch

