



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

This hearing was convened by way of conference call concerning an Application for Dispute Resolution (the "Application") made by the Tenant for money owed or compensation for damage or loss under the *Residential Tenancy Act* (the "Act") pursuant to Section 51(2) of the Act, and to recover the filing fee.

The Tenant appeared for the hearing but the Landlord did not. The Tenant did not submit any written evidence prior to this hearing. At the start of the hearing I determined that the Tenant did not provide any written evidence to support that a tenancy existed between the parties named on the Application and I was not willing to rely on the Tenant's oral testimony in this respect.

Furthermore, as there was no appearance by the Landlord, the Tenant had not provided any written evidence relating to the service of notice for this hearing to the Landlord. The Tenant also indicated that she wanted to withdraw her Application as she only had a limited time to appear for this hearing because she is a teacher. Based on the foregoing, I dismissed the Tenant's Application with leave to re-apply.

The Tenant remained on the line for a brief period of time and was informed of the burden of proof a Tenant needs to meet when making a claim for compensation under Section 51(2) of the Act.

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: October 07, 2014

Residential Tenancy Branch

