



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF MNSD FF

Introduction

This matter was initially reviewed by written submission on August 13, 2014 at which time an Interim Decision was issued ordering that this matter be reconvened by written submission, pursuant to section 74(2)(b) of the Act.

Each party was issued orders in the August 13, 2014 Interim Decision as follows:

Tenants' Orders:

- (1) The Tenants must serve the Landlord with their evidence and written testimony no later than **September 15, 2014**
- (2) The Tenants must serve the *Residential Tenancy Branch* with one package only, no later than **October 10, 2014**

Landlord Orders:

- (3) The Landlord must serve the Tenants with her evidence and written testimony no later than **September 30, 2014**
- (4) The Landlord must serve the *Residential Tenancy Branch* with one package only, no later than **October 10, 2014**

Issue(s) to be Decided

- 1) Have the Tenants complied with the above listed Orders?
- 2) Have the Tenants proven entitlement to a Monetary Order?

Background and Evidence

At the time of this written proceeding held October 27, 2014 at 10:30 a.m., no evidence or written testimony had been received on the *Residential Tenancy Branch* file from the

Tenants.

On October 3, 2014 the Residential Tenancy Branch (RTB) received a fax from the Service BC office which confirmed the Landlord had submitted 64 pages of documents pertaining to this matter. The original documents were received on file on October 8, 2014.

In the Landlord's written submission she indicated that at the time she submitted her documents, she had not received written testimony or evidence from the Tenants. She stated that she had received a registered mail package from the Tenants which included a payment but did not include any documents.

Analysis

In the absence of written testimony or evidence from the Tenants, I find the Tenants have failed to comply with an Order issued by the Director. Furthermore, I find the Tenants have failed to provide sufficient evidence to support their claim for monetary compensation. Therefore, the claim is hereby dismissed, without leave to reapply.

The Tenants have not succeeded with their application; therefore, I decline to award recovery of the filing fee.

Conclusion

I HEREBY DISMISS the Tenants' application, without 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: October 28, 2014

Residential Tenancy Branch

