



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding University Property Management Inc.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNR, MNDC, MNSD, FF, O

There are applications filed by both parties. The landlord seeks a monetary claim for unpaid rent, for money owed or compensation for damage or loss, to keep all or part of the security deposit and recovery of the filing fee. The tenants also seek a monetary order for money owed or compensation for damage or loss, the return of the security deposit and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony.

At the outset of the hearing, the landlord stated that he wished to withdraw his application. The tenant made comment. As such, the landlord's application is considered withdrawn and no further action is required.

The landlord stated that he did not receive the tenant's application for dispute resolution or the tenant's documentary evidence package. The tenant stated that he sent the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on July 7, 2014. The tenant stated in his direct testimony that he can provide the Canada Post Registered Mail Customer Receipt Tracking number as confirmation. The tenant stated that a notice of attempted service was left by Canada Post. The landlord states that no notice has been received. In reviewing the tenant's application package, I find that to proceed in absence of the tenant's evidence so that the landlord may properly respond to the dispute would be unfair and highly prejudicial. The tenant agreed to the adjournment to facilitate delivery of his documentary evidence and specific details of his application. As such, the hearing is adjourned.

The tenant is directed to provide a time for the landlord to attend collect the returned notice of hearing package and submitted documentary evidence on August 1, 2014. The landlord was directed to communicate with the tenant for an appropriate time to attend and pick up on August 1, 2014 the tenant's notice of hearing package and submitted documentary evidence.

On October 8, 2014 at 1:00 pm, the landlord attended the hearing in response to the tenant's application. The tenant did not attend. The landlord states that after repeated attempts the tenant failed to call and deliver his documentary evidence for the application for dispute resolution hearing. As of the date of the hearing, the landlord states he has not received any evidence or particulars of the tenant's claims.

After waiting 10 minutes past the start of the scheduled hearing time, the tenant's application for dispute resolution was dismissed 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 8, 2014

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Residential Tenancy Branch

