



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNDC; FF

Introduction

This is the Tenant's application for compensation for damage or loss under the Act, regulation or tenancy agreement; and to recover the cost of the filing fee from the Landlord.

The Tenant gave affirmed testimony at the Hearing.

The Tenant testified that he served the Landlord with the Notice of Hearing documents by registered mail, on August 18, 2014. The Tenant provided a copy of the receipt for in evidence. The Canada Post tracking system indicates that the documents were successfully delivered on August 19, 2014.

The Tenant testified that he provided the Landlord with his documentary evidence, by registered mail, on February 19, 2015. The Tenant stated that he did not keep the receipt and therefore could not provide the tracking numbers.

The Tenant's Application is incomplete. The Tenant provided documentary evidence to the Residential Tenancy Branch in an attempt to amend his Application, but did not amend his Application in accordance with the Rules of Procedure and serve the Landlord with an amended application. I find that the Tenant provided insufficient evidence that the Landlord was served with the Tenant's documentary evidence; however, I am satisfied that the Landlord received Notice of today's Hearing. The Hearing remained open for 15 minutes, but the Landlord did not sign into the Hearing.

Conclusion

I dismiss the Tenant's application **with leave to reapply**. This does not extend any existing time limits that may apply.

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: March 13, 2015

Residential Tenancy Branch

