



# 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 in response to an Application for Dispute Resolution (the “Application”) made by the Tenants for money owed or compensation under the *Residential Tenancy Act* (the “Act”), and to recover the filing fee.

The male Tenant and the Landlord appeared for the hearing. The Landlord confirmed receipt of the Tenants’ Application. The Landlord denied receipt of the Tenants’ written evidence. Therefore, I turned my mind to the service of evidence by the parties pursuant to the Rules of Procedure. The male Tenant testified that he had served the Landlord with his evidence on July 16, 2015 and again on July 23, 2015 by registered mail. The male Tenant was informed that as the Landlord had not received this evidence, and that it had not been served within the time limits set by Rule 3.14 of the Rules of Procedure, it would not be considered in this hearing. I found that by allowing the Tenants to use evidence which had not been served correctly on the Landlord and that the Landlord had not received or considered would have prejudiced the Landlord.

However, the male Tenant did not wish to proceed with this Application without having this evidence considered and withdrew his Application. The Tenant confirmed that this decision on this course of action was voluntary. I have made no findings of fact or law with respect to the merits of this Application. This Decision does not extend any applicable time limits under the Act and. 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: July 28, 2015

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Residential Tenancy Branch

