



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes:

OPR; MNR; MND; MNSD; FF

Introduction

This is the Landlord's Application for Dispute Resolution seeking an Order of Possession; a monetary award for damages and unpaid rent/utilities; to apply the security deposit towards her monetary award; and to recover the cost of the filing fee from the Tenants.

The Landlord and her agent provided affirmed testimony at the Hearing.

The Landlord's agent testified that he served the Tenants with the Notice of Hearing documents and copies of the Landlord's documentary evidence (47 pages) by handing the documents to the Tenants on July 25, 2015, at the rental unit.

Based on the affirmed testimony of the Landlord's agent, I am satisfied that the Tenants were duly served with the Notice of Hearing documents and copies of the Landlord's documentary evidence on July 25, 2015. Despite being served with the Notice of Hearing documents, the Tenants did not sign into the teleconference and the Hearing proceeded in their absence. The teleconference remained open for 20 minutes.

The Landlord's agent stated that the Landlord's documentary evidence was faxed to the Residential Tenancy Branch on July 23, 2015; however, there was no documentary evidence on the Landlord's file or in the Branch's electronic filing system. The Landlord's agent stated that the evidence was received by the Branch and that he has confirmation. Having been satisfied that the Tenants were served with the documents, I asked the Landlord to fax me copies of the documents; however, the Landlord stated that she does not have a fax machine. I adjourned this matter in order to allow the Landlord to provide me with copies of her documentary evidence.

I adjourned this matter to October 5, 2015, at 9:30 a.m. and provided the Landlord with the access code for signing in.

As the Tenants did not sign into the Hearing, no Notice of Reconvened Hearing will be sent to the Tenants.

This Hearing has commenced and therefore, pursuant to the provisions of Rule 3.19 **no further documentary or electronic evidence may be submitted other than the Landlord's documents that were served on the Tenants on July 25, 2015.**

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: September 30, 2015

Residential Tenancy Branch

