



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** MNR, MNSD, MNDC, MND, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for a monetary order for loss of income, for the cost of repairs and for the recovery of the filing fee. The landlord also applied to retain the security in partial settlement of the claim.

The landlord testified that the tenant moved out without providing a forwarding address. The landlord found out where the tenant was residing and served the tenant with the notice of hearing package by registered mail. The package was returned unclaimed. The landlord also stated that he had sent his evidence to the Residential Tenancy Branch by email on June 18, 2015. There was no evidence attached to the tenant's application on the physical file or the electronic file.

In the absence of evidence, I am unable to hear the landlord's application for a monetary order in the amount of \$25,000.00. However, I will give the landlord the benefit of the doubt and accept that he has filed his evidence but it has gone astray. Accordingly I dismiss the landlord's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

### **Conclusion**

The landlord's application is dismissed with 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: November 26, 2015

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Residential Tenancy Branch

