



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, OLC, LAT, O, FF

### Introduction

This hearing was convened to deal with an Application for Dispute Resolution by the Tenant for a monetary order for money owed or compensation for damage or loss; for an order that the Landlord comply with the Act; for authorization to change the locks; and to recover the filing fee for the Application.

The hearing was conducted by conference call and both parties participated in the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony.

The Tenant testified that he sent the Notice of Hearing to the Landlord on March 31, 2016, by registered mail. The Tenant testified that he did not provide the Landlord with any of the evidence that he provided to the Residential Tenancy Branch ("the RTB") that I have before me. He testified further that second package of additional evidence that he sent to the RTB was also not provided to the Landlord.

The Landlord testified that he had not received any evidence from the Tenant.

I explained to the Landlord and Tenant that disclosure and service of all the evidence I have before me is of fundamental importance with respect to fairness in these proceedings. The parties need to exchange the evidence they intend to rely on at the hearing so each know the case before them and have an opportunity to respond.

Due to my concerns regarding the failure to disclosure any of the evidence in this case, I have dismissed the Tenant's application with leave to reapply.

The Landlord and Tenant were both informed that if either party applies for dispute resolution in the future any evidence they provide must be fully disclosed by serving the other party in a timely manner.

Conclusion

The Tenants application is dismissed with leave to reapply. This is not an extension of any statutory deadline.

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: April 28, 2016

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Residential Tenancy Branch