



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNDC, FF

Introduction and Conclusion

This hearing convened as a result of a Landlord's Application for Dispute Resolution filed on September 20, 2016 wherein the Landlord sought an Order of Possession and a Monetary Order based on a 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice") as well as a claim for money owed or compensation for damage or loss under the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, or the tenancy agreement and to recover the filing fee.

Only the Landlord's agent appeared at the hearing. He testified that he personally served the Tenant with Notice of the Hearing as well as the Landlord's Application for Dispute Resolution on September 20, 2016.

The Landlord's agent testified that the Tenant vacated the rental unit on October 20, 2016 such that an Order of Possession was not required. This claim is noted as being withdrawn.

Although the Landlord claimed monetary losses related to unpaid rent and damage to the rental property, no supporting evidence was filed by the Landlord. The Landlord's agent confirmed that to his knowledge this evidence was not filed, nor was it served on the Tenant. He requested leave to reapply to ensure that the Landlord's evidence in support of his monetary claim would be properly submitted and served.

As indicated during the hearing, I dismiss the Landlord's Application for a Monetary Order with leave to reapply. The Landlord, and his agent are cautioned to consider the *Residential Tenancy Branch Rules of Procedure* to ensure that their evidence is considered by the presiding Arbitrator at the hearing.

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 15, 2016

Residential Tenancy Branch