



# 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 in response to an application by the tenant for a Monetary Order filed June 03, 2016. Both parties attended the hearing.

The tenant provided approximately 50 pages of evidence to this hearing, some photographs as well as an Amendment to an Application. The tenant testified they sent the landlord the same evidence sent to the Branch.

The landlord acknowledged receiving a package from the tenant in mid-June 2016 containing the Notice of Hearing document, some pages of largely emails, and some photographs, all totalling 10 pages. The landlord testified that four (4) months later they received an Amendment to an Application from the tenant. The landlord denied receiving any more than what they claimed and that the small envelope they received in June 2016 could not have contained the amount of evidence claimed by the tenant.

In questioning both parties under affirmation / sworn testimony I determined the landlord did not receive the tenant's original Application for Dispute Resolution outlining the tenant's original claim. I am further not convinced by the testimony in this matter that the landlord has been provided all the evidence forwarded to this hearing. Moreover, I am not convinced the respondent landlord has been made fully aware of the claim against them.

As result of all the above, I dismissed the tenant's application, with leave to reapply.

### **Conclusion**

The tenant's application is **dismissed** in its entirety, with leave to reapply.

**This Decision is final and binding on both parties.**

*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 29, 2016

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Residential Tenancy Branch