



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR

Introduction

This is an application brought by the Landlord requesting a monetary order in the amount of \$5250.00, and requesting recovery of his \$100.00 filing fee.

The applicant(s) testified that the respondent(s) were served with notice of the hearing, by personal service, on October 14, 2016, however the respondent(s) did not join the conference call that was set up for the hearing.

It is my finding that the respondent(s) have been properly served with notice of the hearing and I therefore conducted the hearing in the respondent's absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issue is whether or not the applicant has established monetary claim against the respondents, and if so in what amount.

Preliminary Matter

I first dealt with the fact that there has been no evidence whatsoever provided with this application for dispute resolution; the only thing in the file is a copy of the online application.

When I questioned the applicant about the lack of evidence in the file he stated that he believed he had personally served a copy of the evidence to the Residential Tenancy Office, however he was not sure, and also stated he may have sent it by e-mail.

Having checked the audit notes for this file I find that there is no indication that any evidence was ever received in support of this file.

It is my decision that, in the absence of any evidence whatsoever, I am unwilling to proceed with this application.

Conclusion

Pursuant section 62 of the Residential Tenancy Act, this 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: April 21, 2017

Residential Tenancy Branch