



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC MNR MNSD FF

This hearing was convened as a result of the Landlord's Application for Dispute Resolution, dated October 24, 2016 (the "Application"). The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- a monetary order for money owed or compensation for damage or loss;
- a monetary order for unpaid rent or utilities;
- an order allowing the Landlord to retain all or part of the security deposit or pet damage deposit to apply against the monetary claim; and
- an order granting recovery of the filing fee.

The Landlord attended the hearing on his own behalf and provided affirmed testimony. The Tenants did not attend the hearing.

The Landlord testified that the Application package, including the Notice of a Dispute Resolution Hearing and documentary evidence, was served on the Tenants by registered mail at the forwarding addresses provided at the end of the tenancy. The Landlord testified that the documentary evidence upon which he intended to rely was submitted to the Residential Tenancy Branch in advance of the hearing. However, the evidence was not available to me at the time of the hearing, and no record of having received the evidence was documented in the Residential Tenancy Branch file management system. Accordingly, the Landlord was provided with the opportunity to submit the documentary evidence in support of the Application to my attention by fax. The fax number was provided to the Landlord. As of the date of this Decision, the Landlord's documentary evidence has not been received.

I find there is insufficient evidence before me to conclude the Landlord is entitled to the relief sought. Therefore, 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: May 8, 2017

Residential Tenancy Branch