



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND-S, MNDC-S, FF

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the Act) for:

- a monetary order for damage to the rental unit, and for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover his filing fee for this application from the tenant pursuant to section 72.

The landlord attended the hearing via conference call and provided undisputed affirmed testimony. The tenant did not attend or submit any documentary evidence. Extensive discussions with the landlord over a 20 minute period resulted in the hearing being dismissed with leave to reapply. Questions regarding the service of the notice of hearing package and the submitted documentary evidence were conflicting and contradictory and repeated attempts were unsuccessful as the landlord repeatedly stated that she understood, but could not answer the questions as she repeatedly stated that she did not understand. The landlord is cautioned that when she wishes to proceed with an application in the future to have either an agent speak on her behalf or retain an interpreter.

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: February 28, 2019

Residential Tenancy Branch