



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BRAEMAR GARDEN APARTMENTS
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, MNDC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to have the landlord comply with the Act, for a monetary order for money owed or compensation under the Act, and to recover the filing fee.

Preliminary and procedural matters

This matter commenced on April 16, 2019 and was adjourned in order for the landlord to receive a copy of the tenant's evidence that was filed with the Residential on or before April 2, 2019. The Arbitrator made orders in the interim decision, which should be read in conjunction with this decision.

The landlord's agent testified that the tenant did not comply with the orders on April 16, 2019, which the Arbitrator was very clearly at the previous hearing that the evidence must be served by April 19, 2019, and extended to April 23, 2019. The agent stated they did not receive the tenant's evidence until May 14, 2019.

The landlord's agent also stated that the tenant has provided false documents, which was an invoice from the recording studio. The agent stated that they spoke to the recording studio and they have provided a copy of the invoice that was actually provide to the tenant, which was altered for the hearing.

This matter was set for hearing by telephone conference call at 9:30 A.M on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the landlord's agent. Therefore, as the tenant did not attend the hearing by 9:40 A.M, and the landlord's

agent appeared and was ready to proceed, **I dismiss the tenant's claim without leave to reapply.**

As the tenant did not attend the hearing to provide evidence of the validity of the invoice, said to have been altered. I find it appropriate to caution the tenant that providing false documents at a hearing, if proven, is a very serious issue and could have serious consequences.

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: June 04, 2019

Residential Tenancy Branch