



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CASCADIAN APARTMENT RENTALS
LTD. and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, MNDCT

Introduction

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

- an order requiring the landlord to comply with the *Act*, *Residential Tenancy Regulation* ("Regulation") or tenancy agreement, pursuant to section 62; and
- a monetary order for compensation for damage or loss under the *Act*, *Regulation* or tenancy agreement, pursuant to section 67.

The landlord's agent ("landlord") and the tenant attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The landlord confirmed that she was the property manager for the landlord company named in this application and that she had permission to speak on its behalf. This hearing lasted approximately 17 minutes.

The landlord confirmed receipt of the tenant's application for dispute resolution and notice of hearing. In accordance with sections 89 and 90 of the *Act*, I find that the landlord was duly served with the tenant's application and notice of hearing.

The landlord said that she did not receive the tenant's evidence package. The tenant said that she sent it in the same package to the landlord, as the application and notice of hearing.

The tenant confirmed that she wanted to reapply and re-serve her evidence to the landlord. The landlord said that she was agreeable to the tenant refiling her application and dealing with this matter at a new hearing in the future.

I informed the tenant that her application was dismissed with leave to reapply, based on the landlord's consent. I notified her that she would have to file a new application, pay a new filing fee, and wait for a new hearing date. I informed her that she would have to properly serve her evidence to the landlord and provide proof of same at the next hearing. The tenant confirmed her understanding of same.

I notified the tenant that she could consult a lawyer for legal advice and a Residential Tenancy Branch information officer for information only, not legal advice, if she required further assistance. The tenant confirmed her understanding of same.

Conclusion

The tenant's entire 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 29, 2020

Residential Tenancy Branch