



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCT, FFT

### Introduction

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

- a monetary order for compensation pursuant to section 67 of the *Act*; and
- authorization to recover the filing fee pursuant to section 72 of the *Act*.

The tenant, the landlord and her Advocate (MC) and attended the hearing and were given an opportunity to be heard, to present affirmed testimony, to make submissions.

The landlord confirmed receipt of the tenants' application for Dispute Resolution and receipt of his evidentiary package after the documents were sent by Canada Post registered mail on January 7, 2020. Pursuant to sections 88 & 89 of the *Act* the landlord is found to have been served with all documents.

The tenant was unable to provide a copy of the tracking reference for Canada Post.

### Preliminary Issue- Adjournment

Rule 7.8 of the Residential Tenancy Branch Rules of Procedure states that at any time after the dispute resolution hearing begins, the arbitrator may adjourn the dispute resolution hearing to another time.

Rules of Procedure state:

#### 6.1 Arbitrator's role

The arbitrator will conduct the dispute resolution process in accordance with the *Act*, the Rules of Procedure and principles of fairness.

#### 8.2 Reconvening the dispute resolution hearing

At the arbitrator's discretion, the hearing may be reconvened prior to concluding the proceeding.

I am adjourning this proceeding to reconvene at a new hearing date in order that the tenant has an opportunity to submit his bank statements and provide a copy of the rent payment cheque for September 2019. Furthermore, the landlord to provide the tenant with the evidentiary materials for the landlord's monetary application in accordance with the rules of Procedure 7.8 and the principles of Justice.

The hearing for file reference 210008711 will be joined with this file as a cross application. The new Notice of Hearing is attached to this interim decision.

The applicant and Respondent are not required to serve this Notice to the respondent as the Residential Tenancy Branch will mail it to both parties.

#### Conclusion

Based on the above:

- **I order** this hearing will be reconvened in accordance with the Notice of Hearing documents attached to this Interim Decision;
- **I order** that this is not an opportunity for either party to amend their existing Applications for Dispute Resolution;

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: July 03, 2020

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Residential Tenancy Branch