



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, MNDCT

Introduction

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

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;

Both parties attended the hearing via conference call and provided affirmed testimony.

Both parties were advised that the conference call hearing was scheduled for 60 minutes and pursuant to the Rules of Procedure, Rule 6.11 Recordings Prohibited that recording of this call is prohibited.

At the outset discussion between both parties revealed that the tenant had incorrectly named the wrong landlord. Issues regarding the viewability of 56 out of the 117 document evidence files submitted by the tenant were discussed. The format submitted by the tenant shows that 56 of the files were not on a supported format. Repeated attempts to access the files were unsuccessful. The tenant stated that these photographs were "crucial" to her application.

Discussions with both parties resulted in a suggestion by counsel that the tenant's application be dismissed with leave to reapply. This process was explained to the tenant and was accepted by the tenant. As such, the tenant's application is dismissed with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

The tenant was cautioned to seek assistance in re-submitting her application for dispute and any assistance in “uploading” her evidence prior to filing an application for dispute.

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 08, 2021

Residential Tenancy Branch