



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Westward Inn & Suites and  
[tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR  
                             OPR-DR

### Introduction

This hearing was convened by way of conference call concerning applications made by the tenant and by the landlord. The tenant has applied for an order cancelling a notice to end the tenancy for unpaid rent or utilities. The landlord applied by way of the Direct Request process as against 2 tenants for an Order of Possession for unpaid rent or utilities, which was referred to this participatory hearing.

The landlord and both tenants attended the hearing, and the landlord was accompanied by a person to assist. The landlord and one of the tenants gave affirmed testimony, and the parties were given the opportunity to question each other.

During the course of the hearing, the landlord indicated that the tenants had not served any evidence to the landlord. The tenants also indicated that the landlord had not served any evidence to the tenants. The parties were given the opportunity to explain how and when evidence was given to the other party.

The Rules of Procedure specify that any evidence that a party wishes to rely on must be uploaded to the Residential Tenancy Branch automated system and be served to the other party, even if it is documentation already in the hands of the party to be served.

Multiple discussions took place with respect to evidence, and I am not satisfied that either party has provided the evidence to the other party in accordance with the Rules of Procedure.

Therefore, I dismissed both applications with leave to reapply.

I have made no findings of fact or law with respect to the merits of this dispute, and I make no orders with respect to extending any time limits.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed with leave to reapply.

The landlord's application is hereby 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: August 24, 2021

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Residential Tenancy Branch