



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MARTELLO REAL ESTATE ADVISORS  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDCT, RR, PSF, OLC, FFT

### Introduction

This hearing was convened by way of conference call concerning an application made by the tenants seeking the following relief:

- a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act*, regulation or tenancy agreement;
- an order reducing rent for repairs, services or facilities agreed upon but not provided;
- an order that the landlord provide services or facilities required by the tenancy agreement or the law;
- an order that the landlord comply with the *Act*, regulation or tenancy agreement; and
- to recover the filing fee from the landlord for the cost of the application.

One of the named tenants and an agent for the landlord attended the hearing.

During the course of the hearing the tenant advised that another hearing is scheduled in March, 2023 concerning an application made by the tenant who did not attend this hearing. The tenant also advised that someone from the Residential Tenancy Branch told the tenant that an amendment form was required, however the tenant was not aware of today's hearing date until yesterday, and as a result, none of the tenants' evidence has been provided to the landlord.

I have reviewed the records of this file and the file scheduled for March, 2023, which is scheduled to be heard on March 31, 2023 at 11:00 a.m., and there is certainly some confusion about joining the files to be heard together. Therefore, and since the landlord has not been served with the tenants' evidence, I find it necessary to dismiss this application with leave to reapply.

I have made no findings of fact or law with respect to the merits of this dispute or the dispute scheduled for March 31, 2023.

Conclusion

For the reasons set out above, the tenants' 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: January 10, 2023

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Residential Tenancy Branch