



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCT, RP, PSF, OLC, FFT

### Introduction

This hearing was convened by way of conference call concerning an application made by the tenant 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 that the landlord make repairs to the rental unit or property;
- 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.

The landlord and the tenant attended the hearing, and the tenant was represented by an agent.

At the commencement of the hearing, I questioned the parties regarding exchange of evidence. The landlord has not provided any of the landlord's evidence to the tenant, and both parties have failed to comply with the Rules of Procedure respecting time limits for uploading and exchanging evidence. As a result, the parties agreed that the best course of action is to dismiss the tenant's application with leave to reapply.

Any evidence that a party wishes to rely on must be provided to the other party even if they already have a copy, because it is important for all parties to know what is before me. Also, the Rules of Procedure require that evidence of an applicant must be provided to the Residential Tenancy Branch automated system and to the respondent no less than 14 days before the hearing, and any evidence of the respondent must be

provided to the Residential Tenancy Branch automated system and to the application at least 7 days prior to the hearing. In calculating days, the day the evidence is provided and the hearing date are not counted, but the time limits are clear days in between.

Since the parties agree, I dismiss the tenant's application in its entirety with leave to reapply.

I have made no findings of fact or law with respect to the merits of this dispute.

### Conclusion

For the reasons set out above, the tenant's application is hereby dismissed in its entirety 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: December 07, 2023

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Residential Tenancy Branch