



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNRL-S, MNDCL-S, LRSD, FFL
 MNSDS-DR, FFT

Introduction

This hearing was scheduled to convene at 9:30 a.m. on September 26, 2024 concerning applications made by the landlord and by the tenant.

The landlord has applied for a monetary order as against the tenants for unpaid rent or utilities; a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act*, regulation or tenancy agreement; an order permitting the landlord to keep all or part of the security deposit or pet damage deposit; and to recover the filing fee from the tenants for the cost of the application.

The tenant has applied by way of the Direct Request process for a monetary order for return of all or part of the security deposit or pet damage deposit and to recover the filing fee from the landlord, which was referred to this participatory hearing, joined to be heard with the landlord's application.

One of the landlords named in the tenant's application attended the hearing, who also acted as agent for the landlord named in the landlord's application. One of the tenants also attended.

At the commencement of the hearing I questioned the parties respecting exchanging evidence. All of the landlord's evidence was provided to the Residential Tenancy Branch system on September 24, 2024. The tenant opposed inclusion of the landlord's evidentiary material.

The landlord who attended the hearing described what documents were received from the tenant, which does not include the Notice of Dispute Resolution Proceeding, and the landlord indicated that he did not know about the tenant's application.

Since neither party has provided sufficient evidence of what was served to the other party, I dismissed both applications with leave to reapply.

I have made no findings of fact or law with respect to the merits of either application.

Since neither party has been successful, neither party will recover the filing fee from the other party.

Conclusion

For the reasons set out above, the applications of the landlord and of the tenant are 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: September 26, 2024

Residential Tenancy Branch