



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes

OPR, & MNR

Decision and reasons

I am not willing to proceed with this application for dispute resolution because the applicant has not complied with the requirements of the Residential Tenancy Act.

Section 59(3) of the Residential Tenancy Act states;

59 (3) Except for an application referred to in subsection (6), a person who makes an application for dispute resolution must give a copy of the application to the other party **within 3 days of making it**, or within a different period specified by the director. (my highlighting)

In this case the applicants applied for and received their application for dispute resolution on November 24, 2010, however they did not serve the documents on the respondent until December 2, 2010 when they were sent by registered mail.

This is a full 8 days after the application was made and the applicants have supplied no explanation as to why they took more than double the allowable time to serve the documents.



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Conclusion

This application is 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: December 13, 2010.

Dispute Resolution Officer