



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes DRI, OLC, ERP, RR, FF

Introduction

This matter dealt with an application by the Tenant to dispute a rent increase, for an Order that the Landlord comply with the Act by making emergency repairs, for a rent reduction and to recover the filing fee for this proceeding.

The Tenant said he served some hearing documents on the Landlords by leaving them in a mail box at the rental property. It was not clear, however, if those documents included a copy of the Application and Notice of Hearing (the “hearing package”) for this matter. Section 89(1) of the Act says that an application for dispute resolution (together with the Notice of the Hearing) may be served on a Landlord or an agent of a Landlord ***either in person or by registered mail.*** I find that the Tenant did not serve the Landlords with the hearing package in one of these ways and as a result, his application is dismissed with leave to reapply.

Conclusion

The Tenant’s 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: February 03, 2011.

Residential Tenancy Branch