



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

**Dispute Codes:** MNDC; ERP

### **Introduction**

This is the Tenant's application for compensation for damage or loss under the Act, tenancy agreement or regulations; and for an order that the Landlord make emergency repairs to the rental unit.

### **Preliminary Matters**

The Tenant signed into the Hearing and gave affirmed testimony. He stated that he was in the hospital and therefore arranged for a friend to serve the Landlord with the Notice of Hearing documents. The Tenant's friend was not able to give testimony with respect to service of the documents.

This matter was scheduled to be heard at 1:30 p.m., and by 1:45 p.m. the Landlord had not yet signed into the Hearing.

The Tenant was not able to prove service of the Notice of Hearing documents upon the Landlord and therefore his application was dismissed with leave to reapply.

### **Conclusion**

The Tenant's application is dismissed with leave to re-apply.

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 16, 2011.

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