



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, MNR, MNSD

### Decision and reasons

No hearing was held because the applicant has failed to provide evidence of when the notice of hearing was served on the respondent, and the respondent stated he does not remember when he received the documents.

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

**59** (3) 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.

Therefore since I have no way of knowing whether the landlord complied with the requirements of section 59(3) I am not willing to proceed with the hearing.

### Conclusion

This application is therefore 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: August 15, 2012.

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Residential Tenancy Branch