



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC, RP

Decision and reasons

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.

In this case the applicant did not serve the notice of hearing on the respondent within the required three day time frame, and, in fact, did not serve the documents until 16 days after filing the application.

I am therefore not willing to proceed with the hearing today and it is my decision that the applicant must reapply and properly serve the respondent within the required time limit.

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: August 27, 2012.

Residential Tenancy Branch