



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNR, OPR

### Introduction

This is an application for an order of possession based on a Notice to End Tenancy for nonpayment of rent, and a request for a monetary order for \$1050.00.

### Decision and reasons

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.

In this case the application was filed on October 2, 2012; however the applicant failed to serve the documents until October 10, 2012, eight days after applying for dispute resolution.

Therefore since the applicant did not serve the documents as required by the Residential Tenancy Act I am not willing to proceed with the hearing.

### 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: November 05, 2012.

---

Residential Tenancy Branch