



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Meicor Realty Management Services Inc.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      For the tenant: CNC, MNSD, FF  
For the landlord: OPR, MNR, FF

### Introduction and Preliminary Matters

This hearing was convened as a result of the cross applications of the parties for dispute resolution under the Residential Tenancy Act (the “Act”).

The tenant applied for seeking an order cancelling the landlord’s 1 Month Notice to End Tenancy for Cause (the “Notice”), a monetary order for a return of her security deposit, and for recovery of the filing fee.

The landlord applied for an order of possession for the rental unit due to unpaid rent, a monetary order for unpaid rent, and for recovery of the filing fee.

The tenant did not appear to support her application for dispute resolution as she had abandoned her application without serving the landlord with a Notice of Hearing and her application.

Additionally, as the tenant did not appear, I queried the landlord’s agents about the method they used to serve the tenant with their Notice of Hearing and application for dispute resolution. The landlord stated that they had not served the tenant as they were expecting to conduct the hearing on the tenant’s application, even though they had not been served with a Notice of Hearing.

### Analysis and Conclusion

As the tenant had abandoned her application for dispute resolution prior to the hearing, I make no findings on the merits of the tenant’s application.

As to the landlord’s application, Section 89 of the Residential Tenancy Act requires that an application for dispute resolution be served upon the respondent (the tenant in this

case) in person, or by registered mail to the address at which the person resides, or if a tenant, by registered mail to the forwarding address provided by the tenant.

As I informed the landlord at the hearing, each application stands on its own and is considered independent of the other even if scheduled to be heard together as cross applications.

As the landlord confirmed that the tenant had not been served with the landlord's application or Notice of Hearing as required by section 89 of the Act, I dismiss the landlord's application, with leave to reapply.

Leave to reapply does not extend any applicable time limitation deadlines.

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* and is being mailed to each party.

Dated: October 16, 2013

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Residential Tenancy Branch

