



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Regent Hotel  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR

This is an application filed by the Tenant for an order to cancel a notice to end tenancy issued for unpaid rent.

The Tenant attended the hearing by conference call and gave testimony. The Landlord did not attend or submit any documentary evidence. The Tenant stated that he personally served the Landlord with the notice of hearing package, but was unable to provide a date of when this occurred. The Tenant stated at first that he had served the Landlord on February 9, 2014 some 3 weeks after the application was filed and when questioned he could not offer an explanation of why it was beyond the allowed 3 day period. The Tenant then stated that he had personally served the Landlord on January 14, 2014. The Tenant was asked to clarify the date of service as there were two dates provided. The Tenant became belligerent swearing and yelling. The Tenant was advised to stop swearing and yelling and to please clarify the service date. The Tenant continued swearing and yelling. The Tenant was advised to stop swearing and yelling a second time and to provide a service date. The Tenant continued swearing and yelling.

In absence of any coherent details for the service of the notice of hearing package, the Tenant's Application was dismissed with leave to reapply as I was not satisfied that the Landlord was served in accordance with the Act. The Tenant was also advised that leave to reapply was not an extension of any applicable limitation period.

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 27, 2014

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Residential Tenancy Branch

