



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNL, MNDC, RR, FF

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant for more time than provided in the *Act* to dispute a notice to end tenancy; for an order cancelling a notice to end tenancy for landlord's use of property; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order reducing rent for repairs, services or facilities agreed upon but not provided; and to recover the filing fee from the landlords for the cost of the application.

The tenant attended the hearing, however neither of the landlords attended. The tenant stated that the landlords were served personally with the hearing package but was not able to provide the date.

The tenant also advised that the application for more time to dispute the notice to end tenancy and the application for an order cancelling a notice to end tenancy for landlord's use of property are withdrawn.

Analysis

The *Residential Tenancy Act* states that a person who makes a claim against another person must serve the hearing package within 3 days of making the application. In this case, I am not satisfied when one or either of the landlords were served, and therefore I cannot be satisfied that the tenant has complied with the *Act* with respect to service.

The balance of the tenant's application is hereby dismissed with leave to reapply.

Conclusion

For the reasons set out above, the tenant's application for more time to dispute a notice to end tenancy is hereby dismissed as withdrawn.

The tenant's application for an order cancelling a notice to end tenancy for landlord's use of property is hereby dismissed as withdrawn.

The balance of the tenant's application is hereby 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 13, 2014

Residential Tenancy Branch

