Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   ERP, PSF, RP, FF

Introduction

The tenant applies for orders for repairs, for emergency repairs and directing the landlord to comply with the law and the tenancy agreement.

The landlord did not attend the hearing.

The tenant testified that the landlord is out of the country for two months and so, at the suggestion of the Residential Tenancy Branch he has served a man named "G" who is, the tenant says, the landlord's partner of some kind. "G" is not named in the tenancy agreement or in any agency creating document given by the landlord. The tenant indicated that "G" has collected rent for the landlord.

The *Residential Tenancy Act*, s. 89, permits a tenant to serve a landlord by serving the agent of the landlord, however in this case it has not been shown that "G" was the landlord's agent for the purpose of accepting service or the agent of the landlord generally.

In any event, the tenant has not set out the relief he seeks in his application for dispute resolution. The area marked "order or decision requested" has been left blank and without that particularization being made plain in the application, the application cannot proceed.

The tenant's application is dismissed with leave to re-apply. I reserve to any subsequent arbitrator the right to grant the tenant recovery of the filing fee for this application.

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: March 10, 2015

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Residential Tenancy Branch