



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ZORO HOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: ERP RP MNDC FF

Introduction

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* (the Act) for orders as follows:

- a) That the landlord do emergency repairs pursuant to section 32;
- b) For a monetary order to compensate her for losses and/or expenses incurred due to act or neglect of the landlord;
- c) To recover the filing fee for this application.

Service:

The tenant /applicant gave evidence that a courier service served the Application for Dispute Resolution. In her file were a number of invoices for copies made by this service but there was nothing to indicate that they had been engaged to serve the documents or the results. She said that she had received no notification that the documents were served so this meant that the landlord was avoiding service. This is the third Application by the tenant against this landlord so I find she should be aware of the need to prove service. I find insufficient evidence that the documents were legally served for the purposes of this hearing. In the hearing, I advised the tenant about service methods as set out in section 89 of the Act and she said she would try next time by registered mail as personal service was not an option for her.

Conclusion:

I dismiss this Application of the tenant; there is insufficient evidence to prove the landlord has been served with the Application/Notice of Hearing. I give her 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: April 15, 2015

Residential Tenancy Branch