



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

This review hearing, obtained through the Landlord's successful application for a review of the original decision, was originally scheduled to be heard on March 16, 2015. This hearing date was adjourned on the request of the Tenant who was in the hospital on this date. The interim decision required the Tenant to serve the Landlord with notice of reconvened hearing, scheduled for May 4, 2015, within three days receipt of the interim decision. The Tenant states that he sent the notice of reconvened hearing by registered mail but was not able to provide a tracking number or date of registered mail for the service. The Landlord did not appear at this reconvened hearing.

Given the lack of evidence to support that the Landlord was served with the notice of this reconvened hearing as required, I find that I must dismiss the Tenant's application with leave to reapply. The original decision dated January 13, 2015 was suspended pending the outcome of this hearing. As the Tenant's application has been dismissed with leave to reapply, the original decision is no longer of any effect. 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: May 6, 2015

Residential Tenancy Branch

