



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, MND, MNDC, CNL, CNC, MNR, FF

This matter was reconvened for a conference call hearing at 9:00 a.m. on this date. A previous Interim Decision, dated May 1, 2015 (the "Interim Decision") granted an adjournment of the cross applications and ordered each Party to serve the other with the notice of today's hearing.

The Tenant appeared and stated that the above noted interim decision was not received. The Tenant stated that his forwarding address had been sent to the RTB and I note that this letter was received by the RTB on March 26, 2015 however the Tenant's address was not updated for mail receipt from the RTB. The Tenant stated that he only learned of this hearing date by calling the RTB. The Tenant states that as he did not receive the interim decision instructing him to serve the notice of today's hearing to the Landlord, the Landlord was not served. As the Landlord was not served in relation to the Tenant's application I dismiss the application with leave to reapply. Leave to re-apply is not an extension of any applicable limitation period.

The Landlord did not attend the hearing despite the hearing lasting for 24 minutes from the scheduled time. Although the Tenant did not serve the Landlord with today's notice of hearing, the Landlord would have known about this date as the Landlord would have received the Interim Decision containing the notice of reconvened hearing for today's date. As the Landlord did not attend the hearing to pursue its application I dismiss the 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: June 23, 2015

Residential Tenancy Branch

