



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR FF

Introduction and Analysis

On June 8, 2015, an Adjudicator wrote an interim decision adjourning the landlord's original Application for Dispute Resolution submitted through the Direct Request process to a participatory hearing scheduled for this date, July 23, 2015 at 11:00 a.m.

In the June 8, 2015 decision the Adjudicator wrote in part:

Notices of Reconvened Hearing are enclosed with this interim decision for the application to serve, with all other required documents, upon the tenants within three (3) days of receiving this decision in accordance with section 89 of the *Act*.

[reproduced as written]

The landlord and the son of the landlord attended the adjourned hearing which reconvened this date, July 23, 2015 at 11:00 a.m. by way of a teleconference hearing. The tenant did not attend the teleconference hearing. As the tenant did not attend the hearing, service of the Notice of Reconvened Hearing was considered. The landlord testified under oath that she did not serve the Notice of Reconvened Hearing on the tenant.

Both parties have the right to a fair hearing and the tenant would not be aware of the hearing without having received the Notice of Reconvened Hearing. Therefore, I **dismiss** the landlord's application **with leave to reapply** due to a service issue. I note this decision does not extend any applicable time limits under the *Act*.

Conclusion

The landlord's application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the *Act*.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: July 23, 2015

Residential Tenancy Branch

