



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNDC, MNSD

Introduction

This is an application brought by the Landlord requesting a monetary order in the amount of \$635.00, and a request for recovery of the \$50.00 filing fee.

No hearing was held however, because the applicant was unable to provide evidence of how or when the respondent was served with the notice of today's hearing.

Section 59 of the Residential Tenancy Act states:

59(3) Except for an application referred to in subsection (6), a person who makes an application for dispute resolution must give a copy of the application to the other party within 3 days of making it, or within a different period specified by the director.

In the absence of any evidence that the applicants complied with section 59(3) of the Residential Tenancy Act, I am unwilling to proceed with the hearing.

Conclusion

This application is dismissed in full with 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: October 20, 2015

Residential Tenancy Branch

