



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNR, ERP, MNDC, OLC, RP, RR, FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants filed under the Residential Tenancy Act, (the "Act"), to cancel a 10 Day Notice to End Tenancy for Unpaid Rent, to have the landlord make emergency repairs for health or safety reasons, to reduce rent for repairs, services or facilities agreed upon but not provided and for a monetary order for loss or money owed.

The tenant attended the hearing. As the landlord did not attend the hearing, service of the Notice of Dispute Resolution Hearing was considered.

The Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing.

The tenant indicated that the Application for Dispute Resolution and Notice of Hearing were sent by registered mail. The tenant indicated they were uncertain of the date.

As a result I am not satisfied the landlord was properly served in accordance with the Act.

Further, I am not satisfied that the tenants' application complies with section 59 of the Act. Section 59 (2) of the Act states an application for dispute resolution must include full particulars of the dispute that is to be the subject of the dispute resolution proceedings; this would include a detail calculation of the monetary claim.

In light of the above, I dismiss the tenants' application 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 15, 2015

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Residential Tenancy Branch

