



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNSD

Introduction

This is an application brought by the tenant requesting a Monetary Order in the amount of \$1145.00; however no hearing was held because the applicant has not served the respondent with a copy of the notice of hearing in a method that is recognized under the Residential Tenancy Act.

Section 89 of the Residential Tenancy Act states:

89 (1) An application for dispute resolution or a decision of the director to proceed with a review under Division 2 of Part 5, when required to be given to one party by another, must be given in one of the following ways:

- (a) by leaving a copy with the person;
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;
- (c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord;
- (d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant;

(e) as ordered by the director under section 71

(1) [*director's orders: delivery and service of documents*].

In this case the applicant testified that he served the notice by e-mail, and e-mail is not one of the required methods of service.

I am therefore unwilling to proceed with a hearing on this matter.

Conclusion

This application is dismissed, 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: November 02, 2015

Residential Tenancy Branch

