



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, MNDC, FF

This matter was set for a conference call hearing at 11:00 a.m. on this date. The tenant participated in the hearing, the landlord did not. The tenant stated that they served the landlord the Notice of Hearing Documents by registered mail. The tenant first stated that they served the landlord on February 2, 2016, and then later changed that to February 9, 2016. The tenant then stated that she “believed” the landlord picked up the documents on February 11, 2016.

The tenant was unclear as to when she sent the Notice of Hearing Documents to the landlord and could not provide the tracking number either. Based on the conflicting dates, the tenant was unable to satisfy me that the landlord had been served the Notice of Hearing Documents in accordance with Section 89 of the Act and as a result, I dismiss the tenant’s application with leave to reapply.

Leave to reapply is not an extension of any applicable limitation period.

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: March 23, 2016

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Residential Tenancy Branch