



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC, OPC, OPR, MDC, MNSD, OLC, FF

Introduction

This was an application by a tenant to cancel several Notices to End the Tenancy and for an Order that the landlord comply with the Act. The landlord also applied for Orders for Possession pursuant to two separate Notices to End the Tenancy dated August 4, 2016. Both parties were present at the conference call hearing.

Preliminary matters

The tenant testified that she handed her application to the landlord. She also testified that she had not received his application yet. The landlord testified that he had never received the tenant's application and only found out about it by attending the RTB. Canada Posts' web site indicates that the tenant had not yet received the landlord's application.

Analysis

There is a requirement pursuant to sections 88, 89 of the Act and of natural justice that both parties must serve each other with their respective applications. I find here that neither party has served their applications and accordingly I have dismissed them with leave to reapply.

Conclusion

I have dismissed both the landlord and tenant's applications with leave to reapply.
Neither party will recover their filing fees.

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: September 27, 2016

Residential Tenancy Branch