



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Triple Star Holdings
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, ERP, RP, RR

Introduction

This was a hearing with respect to the tenant's application for repair orders, for a rent reduction, and, pursuant to an amendment to her application, to cancel a Notice to End Tenancy for unpaid rent. The hearing was conducted by conference call. The tenant called in and participated in the hearing. There was no appearance on behalf of the landlord.

Issue(s) to be Decided

Should the Notice to End Tenancy dated August 18, 2016 be cancelled?
Should the landlord be ordered to make repairs, included emergency repairs?
Should the tenant be granted a rent reduction?

Background and Evidence

The tenant applied on August 22, 2016 seeking the above relief. The tenant did not provide any evidence to show that the landlord was served with the application for dispute resolution and Notice of Hearing. The tenant testified at the hearing that Ms. M.S. a counsellor at Progressive Housing, a non-profit tenant's assistance agency was acting as her advocate and served the documents on her behalf. At the tenant's request I attempted to contact the tenant's advocate at a telephone number provided by the tenant and at the offices of Progressive Housing. I was unable to contact the tenant's advocate in order to have her participate in the hearing.

Analysis

The tenant has not established that the landlord was served with the application and Notice of Hearing and in the absence of proof that the landlord was served in

accordance with the provisions of the *Residential Tenancy Act*, the tenant's application is dismissed with leave to reapply. Leave to reapply does not constitute an extension of any applicable time limit.

Conclusion

The tenant's 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: October 17, 2016

Residential Tenancy Branch