



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1058247 BC LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: MNR OPR FF

Introduction:

Only the landlord attended the hearing and gave sworn testimony. He confirmed that the 10 Day Notice to End Tenancy dated February 6, 2017 to be effective February 28, 2017 was served by posting it on the door. However, he said the Application for Dispute Resolution was not served and the tenant had not received notice of this hearing. He had originally applied for a Direct Request but it was adjourned to a hearing and he did not realize that he had to serve the tenant with the Notice of Hearing documents.

Analysis

Section 89 of the Act requires the Application for Dispute Resolution to be served personally or by registered mail so that a respondent has the opportunity to respond and attend the hearing. I find in this case the respondent was not served with the Application and Notice of Hearing as required by section 89 of the Act.

Conclusion:

I dismiss the application due to lack of legal service. The landlord has 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: April 13, 2017

Residential Tenancy Branch