Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   MNSD, MNR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for a monetary order for the cost of emergency repairs, for the return of all or part of the security deposit and to recover the filing fee from the landlord.

The tenant attended the hearing. As the landlord did not attend the hearing, service of the Notice of Dispute Resolution Hearing was considered.

The Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing.

The tenant testified that they do not remember when they served their Application for Dispute Resolution and Notice of Hearing to the landlord.

Since the tenant is unable to remember when the landlord was served, I find I am not satisfied that the landlord was properly served in accordance with section 89 the *Residential Tenancy Act* due to insufficient evidence. Therefore, I dismiss the tenant's application 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: May 12, 2017

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Residential Tenancy Branch