



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNR MNDC ERP RP RR FF

### Introduction and Analysis

This hearing dealt with the tenant's Application for Dispute Resolution (the "Application") pursuant to the *Residential Tenancy Act* (the "Act") seeking a monetary order in the amount of \$24,999.00 for the cost of emergency repairs, for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, for and order directing the landlord to make emergency repairs for health or safety reasons, to make regular repairs to the unit, site or property, for a rent reduction, to recover the cost of the filing fee, and other unspecified relief.

The tenant attended the hearing. As the landlord did not attend the hearing, service of the Notice of a Dispute Resolution Hearing (the "Notice of Hearing") and Application were considered. The tenant testified that she served the landlord by registered mail but could not recall the date or provide the registered mail tracking number during the hearing. The tenant first stated that "I believe it was the 21<sup>st</sup>" and then later said "or the 24<sup>th</sup> or something" which I find is vague testimony and is not compelling.

Both parties have a right to a fair hearing and the landlord would not be aware of the hearing without having received the Notice of a Dispute Resolution Hearing and the Application. Based on the evidence before me, I am not satisfied that the landlord was served by the tenant in accordance with the Act. Therefore, **I dismiss** the tenant's application **with leave to reapply** due to a service issue. I note this decision does not extend any applicable time limits under the Act.

In addition, the tenant did not file a monetary order worksheet or similar document setting out a detailed calculation of the \$24,999.00 monetary claim as required by Rule 2.5 of the Residential Tenancy Branch Rules of Procedure. Should the tenant decide to reapply, the tenant is reminded to comply with Rule 2.5 of the Rules of Procedure.

Conclusion

The tenant's application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the *Act*.

In the future, the tenant is reminded to comply with Rule 2.5 of the Rules of Procedure by providing a detailed breakdown of any monetary claim.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 18, 2017

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Residential Tenancy Branch