



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNDC, MNR, MNSD, FF

Introduction

This is an application, filed by the tenant, requesting an order canceling a notice to end tenancy that was given for nonpayment of rent, requesting a monetary order, and requesting return of the security deposit; however the applicant was unable to give any evidence to show how and when, or even if the respondent was served with notice of this hearing and a copy of the application.

Decision reasons

Section 59(3) of the Residential Tenancy Act states:

59(3) Except for an application referred to in subsection (6), a person who makes an application for dispute resolution must give a copy of the application to the other party within 3 days of making it, or within a different period specified by the director.

In the absence of any evidence to show that the respondent has been served with a copy of the application, I am unwilling to proceed with the hearing.

Conclusion

Pursuant to section 62 of the Residential Tenancy Act this 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: June 14, 2017

Residential Tenancy Branch