



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR MND MNDC MNSD FF

Introduction:

Both parties filed Applications and attended and gave sworn testimony. The landlord said she could not remember but thinks she served the Application for Dispute Resolution on the tenant by registered mail. The tenant denies this and said he only got a few pages of her bank statements mailed to him. He said this problem with service occurred in their prior hearing also. The tenant said he served his Application for Dispute Resolution by registered mail. The landlord denied receiving registered mail from him. He was unable to provide a registered mail number and had not provided evidence of it in the file.

Analysis and Conclusion:

Section 89 of the Act sets out the methods of service for Applications for Dispute Resolution. I find these parties have had previous hearings before the Residential Tenancy Branch and ought to be familiar with the legal methods of service and the proof required. I find insufficient evidence that either party legally served the other with their Application or evidence. I dismiss both Applications with leave to reapply.

I note the previous Decision made on July 22, 2016 may have decided some of the matters that the parties are bringing forward again. I caution the parties that if a matter was previously decided, it may be considered to be res judicata and dismissed. I advise them when they reapply to limit their Applications to matters not previously decided.

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 15, 2017

Residential Tenancy Branch