



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding UCCI HOME DEV C/O AWM ALLIANCE REAL ESTATE GROUP
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC PSF RP RR MNDC FF

Introduction

This hearing addressed the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- recovery of the filing fee from the landlord pursuant to section 72 of the *Act*;
- a Monetary Order as compensation for loss under the *Act* pursuant to section 67;
- an Order pursuant to section 62 of the *Act* directing the landlord to comply with the *Act*;
- an Order for the landlord to provide services or facilities required by the law pursuant to section 65 of the *Act*;
- an Order for the landlord to make repairs to the unit, site or property pursuant to section 33 of the *Act*; and
- a reduction in rent for repairs, services or facilities agreed upon but not provided pursuant to section 65 of the *Act*.

Analysis

Only the tenant attended the hearing. The tenant was given a full opportunity to call witnesses, present testimony and to make submissions.

The tenant could not accurately explain how he had served the landlord with his application for dispute resolution.

Section 89 of the *Act* establishes the following rules for certain documents, which include an application for dispute resolution:

89(1) *An application for dispute resolution...when required to be given to one party by another, **must be given in one** of the following ways:*

- (a) by leaving a copy with the person;*
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;*
- (c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord;*

The tenant has not served the landlord in a manner required by section 89(1) of the *Act*. I am not satisfied that the landlord was aware that a hearing was scheduled.

As the tenant was unsuccessful in his application, he must bear the cost of the \$100.00 filing fee.

Conclusion

I dismiss the application's application in its entirety, 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: November 9, 2017

Residential Tenancy Branch