Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: ERP, FFT, MNDCT, RR

Introduction
The Application for Dispute Resolution filed by the Tenant seeks the following:
   a.   An order for emergency repairs;
   b.   An order for a monetary order in the sum of $576
   c.   An order for the reduction of rent for repairs, services, or facilities agreed upon but not provided
   d.   An order to recover the cost of the filing fee?

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent. The respondent failed to contact the telephone bridge number at the appointed time for the hearing. The applicant was present and ready to proceed. I waited 10 minutes after the appointed time for the hearing and then proceeded with the hearing.

The applicant testified she attempted to serve the landlord with a copy of the Application for Dispute Resolution by e-mail to the e-mail address she has been communicating with the landlord. The landlord did not appear at the hearing.

The Residential Tenancy Act provides that where a party is seeking a monetary order that party must by serve the Application for Dispute Resolution on the other party by personal service or by registered mail to where the respondent resides or where the landlord carries on business.

I determined the Tenant failed to prove that she has sufficiently served the Landlord in accordance with the Residential Tenancy Act.

Accordingly, **I order the application dismissed with liberty to reapply**.

I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period.

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: January 16, 2018

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Residential Tenancy Branch