



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Pacaific Quorum Properties Ltd
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes LRE, OLC, MNDC

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order restricting the Landlord’s entry into the unit - Section 70
2. An Order for the Landlord’s compliance - Section 62; and
3. A Monetary Order for compensation - Section 67.

The Landlord did not attend the hearing. The Tenant appeared and sought an adjournment as its advocate cannot attend the hearing today due to a family emergency. The Tenant states that it has no knowledge or evidence of the service of the Tenant’s application for dispute resolution and notice of hearing on the Landlord. The Tenant states that the tenancy has ended since making this application.

The Act provides the following requirements for service of the Application

- 89** (1) An application for dispute resolution or a decision of the director to proceed with a review under Division 2 of Part 5, 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;
 - (d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant;

(e) as ordered by the director under section 71 (1) [*director's orders: delivery and service of documents*].

As the Tenant has no evidence that the Landlord was served with the application for dispute resolution and the notice of hearing I find that this matter may not proceed to consider an adjournment. Instead I dismiss the application with leave to reapply. Leave to re-apply 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: February 14, 2018

Residential Tenancy Branch