



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding BOUNDARY MANAGEMENT  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR ERP MT OLC PSF RP

### Introduction

This hearing was scheduled to convene at 11:00 a.m. this date by way of conference call concerning an application made by the tenant seeking more time than prescribed to dispute a notice to end the tenancy; for an order cancelling a notice to end the tenancy for unpaid rent or utilities; for an order that the landlord make emergency repairs for health or safety reasons; for an order that the landlord make repairs to the unit, site or property; for an order that the landlord comply with the *Act*, regulation or tenancy agreement; and for an order that the landlord provide services or facilities required by the tenancy agreement or the law.

The tenant attended the hearing, however the line remained open while the phone system was monitored for 10 minutes and no one for the landlord joined the call.

The tenant advised that the landlord was served with the hearing package about a week after filing the application for dispute resolution, by serving a resident manager of the rental complex personally, but does not recall the date. The tenant advised that the tenant was not aware that the landlord could be served by registered mail.

The *Residential Tenancy Act* specifies that a respondent must be served with the hearing package within 3 days of receiving the notice of hearing from the Residential Tenancy Branch. The tenant has not done so, and no one for the landlord attended the hearing. Therefore, I cannot be satisfied that the landlord has been served in accordance with the *Residential Tenancy Act*, and I dismiss the tenant's application with leave to reapply.

I have made no findings of fact or law with respect to the merits of this matter.

### Conclusion

For the reasons set out above, the tenant's application is hereby 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: March 20, 2018

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Residential Tenancy Branch