



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC

This hearing was convened in response to an application by the Tenant pursuant to section 62 of the *Residential Tenancy Act* (the “Act”) for an order that the Landlord comply with the Act, Regulations or tenancy agreement.

The Landlord did not attend the Hearing. The Tenant emailed the application for dispute resolution (the “Application”) and Notice of Hearing to the Landlord. The Tenant did not obtain an order for substituted service allowing the Application to be served by email.

Section 89(1) of the Act provides that an Application must be given to the other party 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 did not serve the Application by one of the approved methods set out above I find that that service has been accomplished in accordance with the Act and I therefore 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 Act.

Dated: October 09, 2018

Residential Tenancy Branch