



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding THE SALVATION ARMY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, FFT

Introduction and Preliminary Matters

On September 4, 2018, the Tenant submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) requesting an Order for the Landlord to comply with the Act, and to recover the cost of the filing fee. The matter was set for a participatory hearing via conference call.

The Tenant attended the conference call hearing; however, the Landlord did not attend at any time during the 30-minute hearing. The Tenant was unable to provide sufficient evidence that the Landlord was served with the Notice of Hearing in accordance with Section 89 the Act.

While I attempted to explain the process for serving documents to Respondents to the Tenant, the Tenant stated that she was being blamed for tapping on the walls and that the manager of the building was threatening her eviction when it was not her that was committing the mischief. I advised the Tenant that there did not appear to be any Applications from the Landlord to end her tenancy.

I encouraged the Tenant to contact the police if she felt unsafe or if there were any ongoing criminal matters (mischief, threats) in regard to her welfare. I further suggested that if the Tenant required assistance with any tenancy issues, that she could contact the Residential Tenancy Branch or find an advocate through many of the support agencies in the City.

As the Tenant failed to provide sufficient evidence that the Landlord was served the Notice of Hearing in this matter, the Application is dismissed with leave to reapply.

Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply, however, this does not extend any applicable time limits under the Legislation. I have not made any findings of fact or law with respect to the Application.

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: October 15, 2018

Residential Tenancy Branch