



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding AWM ALLIANCE  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      ERP, FF

### **Introduction**

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* for an order directing the landlord to carry out repairs and for the filing fee.

### **Preliminary and procedural matters**

Both parties attended this hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. As both parties were in attendance I confirmed service of documents. The landlord stated that he had not received a notice of hearing and evidence package from the tenant. The landlord found out about the hearing when he received an email reminder from the Residential Tenancy Branch. The tenant agreed that he had not served the landlord with any documents regarding his application for dispute resolution.

The Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution, Notice of Hearing and the evidence that the applicant intends to rely on. Based on the above, I find the landlord was not served with a notice of hearing package. Therefore, I dismiss the tenant's application. The tenant must bear the cost of filing his 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: December 20, 2018

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Residential Tenancy Branch