



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, DRI, FFT

Introduction

On June 6, 2019, the Tenants applied for a Dispute Resolution proceeding seeking to cancel the 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice") pursuant to Section 47 of the *Residential Tenancy Act* (the "Act"), seeking to dispute a rent increase pursuant to Section 41 of the *Act*, and seeking to recover the filing fee pursuant to Section 72 of the *Act*.

The Tenants attended the hearing; however, the Landlord did not make an appearance. All in attendance provided a solemn affirmation.

The Tenants advised that they did not serve the Notice of Hearing package to the Landlord. Based on this undisputed testimony, as I am satisfied that the Landlord was not served with the Notice of Hearing package in accordance with Section 89 of the *Act*, I dismiss the Tenants' Application with respect to the Notice without 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.

Conclusion

I dismiss the Tenants' Application with respect to the cancellation of the Notice with leave to reapply. However, this does not extend any applicable time limits under the legislation.

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: July 19, 2019

Residential Tenancy Branch