



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDC MNSD

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A hearing by telephone conference was held on July 25, 2019. The Tenant applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the *Act*).

The Tenant attended the hearing, but the Landlord did not. The Tenant stated that he sent some paperwork to the Landlord on April 25, 2019. A copy of the registered mail tracking information was provided into evidence. During the hearing, I asked the Tenant what was in the package that he sent, and he advised that it was assembled by someone else, who was not present at the hearing. I tried to clarify whether or not this package contained the Notice of Hearing, but the Tenant was not sure. During the hearing, I explained the importance of serving the other party with the Notice of Hearing, as it contains all the information (date, time, issues identified, and rules), which puts the other party on notice with respect to the issues against them.

The Tenant was not able to sufficiently clarify what whether or not he served the Landlord with the complete Notice of Hearing package, as required by the Act and the Rules of Procedure. In the absence of this information, I find it would not be procedurally fair or just to proceed with this application for monetary compensation. I find there is insufficient evidence that the Tenant served the Landlord with the Notice of Hearing.

As the Notice of Hearing has not been sufficiently served for the purposes of this *Act*, I dismiss the Tenant's application in full, with leave to reapply.

The Tenant was also unsure about how much monthly rent was and how much the security deposit was for. Should the Tenant wish to reapply, I encourage him to organize and prepared such that he can answer some of these fundamental queries.

Conclusion

I dismiss the Tenant's application in full, 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: July 25, 2019

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Residential Tenancy Branch