



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **AAT FFT MNDCT OLC PSF**

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- An order to allow access to the tenant or their guests pursuant to section 30;
- Authorization to recover the filing fee for this application from the landlord pursuant to section 72;
- A monetary order for damages or compensation pursuant to section 67;
- An order for the landlord to comply with the Act, Regulations and/or tenancy agreement pursuant to section 62; and
- An order to provide services or facilities required by a tenancy agreement or law pursuant to section 62.

The tenant attended the hearing, the landlord did not. The tenant was affirmed and provided testimony. The tenant testified that he did not serve the landlord with a copy of his application for dispute resolution. He indicated he understood that the Residential Tenancy Branch would email notice of the hearing to the landlord.

Rule 3.1 of the Residential Tenancy Branch Rules of Procedure state:

3.1 Documents that must be served with the Notice of Dispute Resolution Proceeding Package

The applicant must, within three days of the Notice of Dispute Resolution Proceeding Package being made available by the Residential Tenancy Branch, serve each respondent with copies of all of the following:

- a) the Notice of Dispute Resolution Proceeding provided to the applicant by the Residential Tenancy Branch, which includes the Application for Dispute Resolution;
- b) the Respondent Instructions for Dispute Resolution;

c) the dispute resolution process fact sheet (RTB-114) or direct request process fact sheet (RTB-130) provided by the Residential Tenancy Branch; and

d) any other evidence submitted to the Residential Tenancy Branch directly or through a Service BC Office with the Application for Dispute Resolution, in accordance with Rule 2.5 [*Documents that must be submitted with an Application for Dispute Resolution*].

As the tenant has confirmed he did not serve the landlord with the Notice of Dispute Resolution Package, I dismiss the tenant's application for dispute resolution with leave to reapply.

Conclusion

The tenant's application is dismissed with leave to reapply. Leave to reapply does not extend any deadlines established pursuant to the *Act*, including the deadlines for applying for dispute resolution.

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: August 06, 2019

Residential Tenancy Branch