



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDL, OPR, MNRL

This matter was scheduled for a conference call at 11:00 a.m. on this date. The landlords participated in the teleconference, the tenant did not. The line remained open for 25 minutes to allow the tenant to join the conference call. GP testified that the tenant moved out on August 1, 2019 and that she has obtained possession of the unit. GP testified that she was granted a substitute service order to serve notice of this hearing and her application by way of email. However, when asked when she emailed the Notice of Hearing Documents and Application, GP was unsure as to what day that occurred. In addition, the landlord did not provide a copy of that email to support their claim that the tenant had been served notice of this hearing.

The landlords have not satisfied me that the tenant has been served notice of this hearing and the landlord's application in accordance with section 89 of the Act, accordingly; I dismiss the landlords' application with leave to reapply.

Leave to reapply is not an extension of any applicable timelines.

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: September 27, 2019

Residential Tenancy Branch