



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 0986305 BC LTD  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      MNDCT RPP

### Introduction and Analysis

This hearing dealt with the tenant's Application for Dispute Resolution ("application") seeking remedy under the *Residential Tenancy Act* ("Act") for a monetary order in the amount of \$5,000.00 for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, and for the return of the tenant's personal property.

The tenant and an advocate for the tenant KT ("advocate") attended the teleconference hearing. A representative for the landlord did not attend the hearing. As the landlord did not attend the hearing, service of the Notice of a Dispute Resolution Proceeding dated July 16, 2019 ("Notice of Hearing"), application and documentary evidence were considered. The tenant was affirmed and first testified that the landlord was not served and later in the hearing, stated that they did not know if the landlord was served.

Both parties have the right to a fair hearing. The landlord would not be aware of the hearing without having received the Notice of a Dispute Resolution Proceeding and application. Therefore, **I dismiss** the tenant's application **with leave to reapply** as I am not satisfied that the landlord has been sufficiently served with the Notice of Hearing and application in a manner provided for under the Act. I note this decision does not extend any applicable time limits under the Act.

### Conclusion

The tenant's application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the Act.

This decision will be emailed to the tenant and the tenant's advocate, and sent by regular mail to the landlord, as an email address for the landlord was not included in the tenant's application.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: October 21, 2019

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Residential Tenancy Branch