



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC

Introduction

This teleconference hearing was scheduled in response to an application by the Tenants under the *Residential Tenancy Act* (the “Act”) to cancel a One Month Notice to End Tenancy for Cause (the “One Month Notice”), and for an Order for the Landlord to comply with the *Act*, *Residential Tenancy Regulation*, and/or tenancy agreement.

One Tenant was present for the hearing and was affirmed to be truthful in her testimony. She stated that she did not serve the Landlord with the Notice of Dispute Resolution Proceeding package as required and therefore the Landlord was not aware of the hearing.

The Tenant stated her intention to file a new application now that she is aware of the service requirements.

As the notice of hearing documents were not served to the respondent as required by the *Residential Tenancy Branch Rules of Procedure*, the hearing did not continue. The respondent has a right to know the claims against them, to submit evidence in response and to attend the hearing. As such, this application is dismissed, with leave to reapply. No findings of fact or law were made regarding the claims on the application.

Conclusion

As the Notice of Dispute Resolution Proceeding package was not served, I dismiss the Application for Dispute Resolution with leave to reapply. This decision does not extend any applicable time limits under the *Residential Tenancy Act*. No findings of fact or law were made with respect to the dispute.

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: November 25, 2019

Residential Tenancy Branch