



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, LRE

Introduction

This hearing dealt with an Application for Dispute Resolution by the to suspend or set condition on the landlord's right to enter the premise and for monetary compensation for money owed or loss.

Both parties appeared.

Preliminary and procedural matters

At the outset of the hearing the landlord's agent stated that they were not served with the tenant's application. The agent stated they received some evidence and an amendment; however, they had to contact the Residential Tenancy Branch to be proved the hearing codes.

The tenant stated they did not serve the landlord with their application, as they believe it was sent by the Residential Tenancy Branch.

In this case, I find the tenant has not complied with section 89 of the Act, as they must serve the landlord with their application for dispute resolution and notice of hearing. It is not the Residential Tenancy Branch responsible to serve the tenant's documents.

As the landlord was not served in accordance with the Act, I dismiss the tenant's application with leave to reapply.

Conclusion

The tenant did not serve the landlord in accordance with the Act. Therefore, I dismiss the tenant's application 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: January 10, 2020

Residential Tenancy Branch