



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to have the landlord make emergency repairs and to recover the cost of the filing fee.

Both parties appeared.

Preliminary and Procedural matters

At the outset of the hearing the landlord stated they were not served with the tenant's application or notice of hearing. The tenant stated they believe it was sent by email.

The tenant stated that that they no longer required the issue of emergency repair as the repair has been made; however, they repurposed their application as they seek their monthly allowance for utilities to be increased.

In this case, the landlord was not served in accordance with section 89 of the Act. Therefore, I decline to hear the tenant's application. As the issue before me, is to have the landlord make emergency repairs and that matter has been resolved, I dismiss the tenant's application without 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: February 03, 2020

Residential Tenancy Branch