



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **RR, RP, MNDCT, DRI, PSF, LRE, LAT, OLC**

Introduction

This hearing was scheduled for 9:30 a.m. on this date, via teleconference call, to deal with a tenant's application for several remedies: repair orders, authorization to change the locks, authorization to suspend the landlord's restricted right to enter the rental unit, orders that would allow the tenant and his guests access to the property, orders for compliance with the Act, regulations or tenancy agreement, dispute of a rent increase, authorization to reduce rent payable, and monetary compensation for damages or loss under the Act, regulations or tenancy agreement.

The tenant and his mother appeared at the commencement of the hearing; however, there was no appearance on part of the landlord. Since the landlord did not appear, I explored service of hearing document upon the landlord.

The tenant testified that he sent the proceeding package to the landlord via regular mail. The tenant also stated that he has been having computer problems and he was unable to upload evidence to the Residential Tenancy Branch dispute management system and he did not serve his evidence upon the landlord.

The tenant initially indicated that he wanted to cancel the hearing but then stated he wanted to adjourn it so that he could resolve his computer issues and submit his evidence.

I did not consider the tenant's request for adjournment because the tenant failed to properly serve the landlord with his proceeding package, which includes the tenant's Application for Dispute Resolution and Notice of Dispute Resolution Proceeding so as to put the landlord on notice of this proceeding. Regular mail is not a permissible method of service under the requirements set out in section 89 of the Act.

Given the failure to properly serve the landlord with the proceeding package, I have granted the tenant's initial request to cancel/withdraw this Application and I grant the tenant 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: April 30, 2020

Residential Tenancy Branch