



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RP, OLC, RR, MNDCT

Preliminary Matters

On May 1, 2020, the Tenants applied for a Dispute Resolution proceeding seeking a repair Order pursuant to Section 32 of the *Residential Tenancy Act* (the “*Act*”), seeking an Order to comply pursuant to Section 62 of the *Act*, seeking a rent reduction pursuant to Section 65 of the *Act*, and seeking a Monetary Order for compensation pursuant to Section 67 of the *Act*.

The Tenant attended the hearing. The Landlord attended the hearing as well, with J.D. attending as an agent for the Landlord. The Tenant and Landlord provided a solemn affirmation.

The Tenant advised that they did not serve the Landlord the Notice of Hearing package or any evidence. J.D. advised that the Landlord had only been informed about the hearing by way of a reminder email from the Residential Tenancy Branch and she stated that the Landlord did not have any of the Tenants’ evidence before them to rely on.

Based on this undisputed testimony, I am not satisfied that the Landlord was served with the Notice of Hearing package or evidence in accordance with Rule 3.1 of the Rules of Procedure. As such, I dismiss the Tenants’ Application with leave to reapply.

Conclusion

I dismiss the Tenants’ 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: May 25, 2020

Residential Tenancy Branch