



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* ("Act") for:

- a monetary award pursuant to section 67 of the *Act*.

Only tenant D.G. attended the hearing by way of conference call.

Following opening remarks, the tenant acknowledged not having served the landlord with any evidence or the notice of hearing. The tenant also expressed some concerns around time limits related to his application, noting a dismissal of the application may bring the application beyond the allowable two-year limitation period as prescribed by section 60(1) of the *Act*.

Analysis

89(1) An application for dispute resolution...when required to be given to one party by another, must be given in one of the following ways:

- (a) by leaving a copy with the person;*
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;*
- (c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord;*
- (d) as ordered by the director under section 71(1) [director's orders: delivery and service of document]...*

The tenant has not sufficiently demonstrated that they served the landlord with the application for dispute in a manner allowed and required by section 89(1) of the *Act*. I dismiss the tenants' application for a monetary award with leave to reapply.

Dismissal of this application does not extend any timelines for making an application as described in section 60(1) of the *Act*.

Conclusion

The tenants' application is dismissed 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: December 14, 2020

Residential Tenancy Branch