



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding HADDEN INVESTMENTS  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNRL-S, OPR-DR, FFL

On September 22, 2020, the Landlord submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") requesting a Monetary Order for unpaid rent, and to recover the cost of the filing fee.

On October 14, 2020, the Landlord submitted an Application for Dispute Resolution by Direct Request under the Act. The Landlord requested an Order of Possession for unpaid rent, a Monetary Order to recover the unpaid rent, and to be compensated for the cost of the filing fee. The second Application was crossed with the first Application and the matter was set for a participatory hearing via conference call.

The Landlord attended the conference call hearing; however, the Tenant did not attend at any time during the 39-minute hearing. The Landlord testified that he attempted to serve the Tenants with the Notice of Dispute Resolution Proceeding by sending it via registered mail; however, was unable to provide any dates or proof of service for either of the Applications. As a result, I find that the Tenants have not been duly served with the Notice of Dispute Resolution Proceeding in accordance with Section 89 the Act.

I am, therefore, unable to hear the Landlord's Application as I am not satisfied that the Tenants were properly served with the Notice of Dispute Resolution Proceeding. As a result, these Application are dismissed with leave to reapply.

## **Conclusion**

I dismiss the Applications for Dispute Resolution with leave to reapply; however, this does not extend any applicable time limits under the Legislation. I have not made any findings of fact or law with respect to the Application.

In the event that the parties decide to reapply for dispute resolution, they will be required to resubmit all written evidence, upon which they intend to rely, to each other again. They will also need to submit their evidence to the Residential Tenancy Branch's online portal again.

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 13, 2021

---

Residential Tenancy Branch