



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Sutton Advantage Property Management and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR RR MNDC FF

Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution. A participatory hearing was held on February 19, 2021. The Tenants applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

Both parties attended the hearing. When I asked the Tenant how he served the Landlord with his Notice of Hearing, he stated that he sent an email to the Landlord which contained the conference codes and hearing times which he had cut and paste into an email. The Tenant stated that he did not give the Landlord a copy of the full Notice of Hearing document, either electronically, or physically. The Tenant only gave a few key pieces of information that enable the Landlord to attend the hearing.

As stated in the hearing, I find this is prejudicial to the Landlord and the respondent in this case, as the Notice of Hearing contains very important information, including dates, times, links, and resources to help prepare for the hearing. This was not done, and I find it would be prejudicial to allow the hearing to proceed, since the Landlord was not given important hearing information, and did not get the Tenant's address for service which was listed on the Notice of Hearing.

I dismiss the Tenants' application, in full, with leave to reapply, except for the Tenants' application to cancel the 10 Day Notice, which is dismissed without leave. I dismiss the application to cancel the 10 Day Notice, without leave, because the Tenants have already moved out of the rental unit, and that issue is moot.

The Tenants are granted leave to reapply for monetary compensation, but must follow the service parameters under the Act and the Rules of Procedure.

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 19, 2021

Residential Tenancy Branch