



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 732 MOODY RENTALS  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant filed under the *Residential Tenancy Act* (the “*Act*”), for a monetary order for damages or compensation under the *Act*, and for the return of their filing fee. The matter was set for a conference call.

The Tenant attended the hearing and was affirmed to be truthful in their testimony. As the Landlord did not attend the hearing, service of the Notice of Dispute Resolution Hearing documentation was considered. The Tenant testified that they had served the Notice of Dispute Resolution Hearing documentation by registered mail; however, when the Tenant was asked to provide the details of that service, including the registered mail tracking the number, the Tenant was unable to provide the requested information. In the absence of supporting detail of the service of the Notice of Dispute Resolution Hearing documentation, I find that the Landlord had not been duly notified of the Notice of Hearing in accordance with the *Act*.

The Tenant was offered and an adjournment in order to serve the Notice of hearing documents and their evidence in accordance with the *Act*. The Tenant declined the offered adjournment.

As I am not able to confirm the service of the Notice of Dispute Resolution Hearing documentation to the Landlord, I find that I must dismiss the Tenant’s application in this circumstance.

Conclusion

I dismiss the Tenant's Application 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.

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: March 30, 2021

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Residential Tenancy Branch