



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR-DR, MNR-DR, MNRL

In an interim decision dated July 5, 2021 (the “Interim Decision”) this participatory hearing was reconvened from the direct request proceedings in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67; and
2. An Order for possession - Section 55.

The Tenants did not attend the hearing. The Interim Decision orders the Landlord to serve each Tenant with the Interim Decision, notice of reconvened hearing and other required documents (the “Hearing Package”) within 3 days receipt of the Interim Decision. The Landlord received the Interim Decision by email from the Residential Tenancy Branch (the “RTB”) on July 6, 2021 and on July 15, 2021 the Landlord served each Tenant with the Hearing Package by registered mail. The Landlord states that they had technical problems and could not print out the Hearing package sooner than it was served. The Landlord confirms that prior to serving the Interim Decision the Tenants had been making payments towards the rental arrears with receipts issued “for use and occupancy only”.

As there is no evidence that the Landlord could not forward the email for printing, I consider that the Landlord has not provided evidence to support that the Landlord was stopped from meeting the order for service. As the Landlord did not serve the Tenants within the required time, I dismiss the application with leave to reapply.

This decision is made on authority delegated to me by the Director of the RTB under Section 9.1(1) of the Act.

Dated: August 10, 2021

Residential Tenancy Branch