Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

This matter was set for a conference call hearing at 9:30 a.m. on this date. The landlord participated in the hearing, the tenant did not. The landlord testified that he personally served the tenant. Although I asked the landlord on three separate occasions as to when he served the tenant the Notice of Hearing Documents and Application, he only offered this response “I served him when I got them”.

The landlord failed to provide the specific date or time and who if anyone, was present with him. The landlord was unable to satisfy me that the tenant had been served the Notice of Hearing Documents in accordance with Section 89 of the Act and as a result, I dismiss the landlord’s application with leave to reapply.
Leave to reapply is not an extension of any applicable limitation period

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: September 07, 2021

Residential Tenancy Branch