



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RPP, MNDCT, FFT

Introduction

This hearing was scheduled to deal with a tenant's application for an order for the landlord to return the tenant's personal possessions and compensation for damages or loss under the Act, regulations or tenancy agreement.

A person appeared at the hearing on behalf of the tenant. This person stated the tenant is incarcerated and she had a power of attorney for the tenant although no such document was submitted. There was no appearance on part of the landlord. The person appearing on behalf of the tenant stated the landlord was not served with the proceeding package.

Section 59 provides that an Application for Dispute Resolution must be served upon the other party within three days of receiving the proceeding package.

Since the landlord was not served with the hearing documents, I did not hear this application any further. The application is dismissed with leave to reapply.

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: October 14, 2021

Residential Tenancy Branch