



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNETC FFT

Introduction and Preliminary Issue

The tenant sought compensation in the amount of \$20,400.00 pursuant to 51(2) of the *Residential Tenancy Act* ("Act"). In addition, they sought recovery of the filing fee in the amount of \$100.00 pursuant to section 72 of the Act.

A dispute resolution hearing was convened on January 20, 2022 at 1:30 PM. Only the tenant was in attendance, and the hearing ended at 1:35 PM.

In a hearing where a respondent does not attend, I must be satisfied that the respondent was properly served with a Notice of Dispute Resolution Proceeding. Such service must comply with [section 59\(3\)](#) of the Act and [Rule 3.1](#) the Residential Tenancy Branch's (the "Branch") *Rules of Procedure*, and there must be evidence to support a finding that such service in fact occurred.

The tenant explained that he was unsure of how to serve the Notice of Dispute Resolution Proceeding (which the Branch emailed to him on July 20, 2021) and thought that the Branch would be providing a copy of the Notice to the respondents. The tenant did not serve a copy of the Notice of Dispute Resolution Proceeding or any evidence on the respondents, as required by the Act and *Rules of Procedure*.

For this reason, the tenant's application is dismissed, with leave to reapply.

Dated: January 20, 2022

Residential Tenancy Branch