



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNRL-S, FFL

### Introduction

This hearing was convened by way of conference call concerning an application made by the landlord seeking a monetary order for unpaid rent or utilities; an order permitting the landlord to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenant for the cost of the application.

The landlord was represented at the hearing by Legal Counsel. The tenant also attended with the tenant's spouse.

At the commencement of the hearing the tenant advised that the landlord has not served the tenant with the Notice of Dispute Resolution Proceeding or any evidentiary material. Legal Counsel for the landlord was not able to provide any information about what may have been served to the tenant or when, and applied to adjourn the hearing.

The *Residential Tenancy Act* requires an applicant to serve the dispute resolution package to the respondent within 3 days of making it. Since the landlord has not done so, or has not provided any evidence or testimony with respect to service, I declined to adjourn, and I dismissed the landlord's application with leave to reapply.

I have made no findings of fact or law with respect to the merits of this matter and I make no orders with respect to extending any time limits.

### Conclusion

For the reasons set out above, the landlord's application is hereby 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: May 20, 2022

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Residential Tenancy Branch