



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding PACIFIC VILLAGE II LTD C/O TRIBE MANAGEMENT  
INC. and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      ARI - C

### Introduction

This hearing was a preliminary hearing to address procedural issues prior to an adjudicative hearing on the Landlord's application pursuant to section 43 of the Residential Tenancy Act (the "Act") and section 23.1 of the Residential Tenancy Regulation (the "Regulation") for an additional rent increase for capital expenditures.

The Landlord was represented at the hearing by their agent SD. Some of the tenants were represented by SP and TH.

This preliminary hearing was convened pursuant to a Notice of Preliminary Conference Hearing provided to the landlord on March 18, 2022. At the outset of the hearing, I asked the landlords agent if they had served all of the tenants with the notice for this conference. The agent testified that they had served all units by registered mail. However, the agent did not provide any documentation to support that position. The agent advised that it was an oversight on his part to not provide the documentary evidence to corroborate his testimony for the service of documents. Although some tenants called into the conference, the landlord was unable to provide sufficient evidence to satisfy me that all the tenants had been served in accordance with section 89 of the *Act*, accordingly, I dismiss this application in its entirety with leave to reapply.

### Conclusion

The landlord's 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: June 20, 2022

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Residential Tenancy Branch