



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      RR, PSF, OLC, MNDCT, FFT

### Introduction and Procedural History

The tenant sought various relief under sections 62, 65(1)(f), 67, and 72 of the *Residential Tenancy Act* ("Act").

A dispute resolution was held on Friday, August 12, 2022 at 9:30 AM. The landlord attended the hearing, while the tenant did not.

The landlord testified that they were never served with the tenant's Notice of Dispute Resolution Proceeding or a copy of the tenant's application for dispute resolution. Service of the Notice of Dispute Resolution Proceeding is a requirement under section 59 of the Act. Indeed, the landlord only found out about this dispute by way of the Residential Tenancy Branch's automated email reminder system.

Given that the tenant failed to attend the hearing to explain this lack of service and given that service of the Notice of Dispute Resolution Proceeding was not proven, it is my conclusion that the tenant's application must be dismissed.

### Conclusion

**The application is hereby dismissed, without leave to reapply.**

This decision is final and binding on the parties, and it is made on delegated authority under section 9.1(1) of the Act.

Dated: August 12, 2022

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Residential Tenancy Branch