



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, RP, AAT, FFT

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- a monetary order for compensation for damage or loss under the *Act*, regulation or tenancy agreement pursuant to section 67;
- an order to the landlord to make repairs to the rental unit pursuant to section 33;
- an order to allow access to or from the rental unit or site for the tenant or the tenant's guests pursuant to section 70; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

This matter was scheduled for a conference call at 9:30 a.m. on this date. Both parties participated in the teleconference. At the outset of the hearing the landlord's agent advised that she was not aware that the tenants filed an application or that there was a hearing until she received a reminder email of this hearing from the Branch three days ago. The tenant confirmed that she did not serve landlord the Notice of Hearing or Application, accordingly; I hereby dismiss this application with leave to reapply as the tenants have not met the service provisions per section 89 of the *Act*.

Conclusion

The tenants request for the recovery of the filing fee is dismissed without leave to reapply. The remainder of the tenant'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: August 29, 2022

Residential Tenancy Branch