



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Vancouver Native Housing
and [tenant name suppressed to protect privacy]

DECISION

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for the cost of emergency repairs - Section 67;
2. A Monetary Order for compensation - Section 67; and
3. An Order for the return of the security deposit - Section 38.

The Landlord did not attend the hearing. The Tenant states that they did not serve the Landlord with anything as the Residential Tenancy Branch (the “RTB”) never told the Tenant to do that and that the Tenant believed that the RTB informed the Landlord of the Tenant’s claims.

Section 89(1) of the Act provides that an application for dispute resolution or a decision of the director to proceed with a review under Division 2 of Part 5, when required to be given to one party by another, must be given in one of the following ways:

- (a) by leaving a copy with the person;
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;
- (c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord;
- (d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant;
- (e) as ordered by the director under section 71 (1) [*director's orders: delivery and service of documents*];
- (f) by any other means of service provided for in the regulations.

The RTB does not serve any party with documents required to be served by a party. Given that there is no evidence that the Tenant served the Landlord as required under the Act, I dismiss the Tenant's application with leave to reapply. I encourage the Tenant to obtain the assistance of an advocate should the Tenant wish to make another application for dispute resolution.

This decision is made on authority delegated to me by the Director of the RTB under Section 9.1(1) of the Act.

Dated: November 03, 2022

Residential Tenancy Branch