



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding VEYRON PROPERTIES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RPP MNETC MNDC

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A participatory hearing was held on December 5, 2022. The Tenant applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

The Tenants and the Landlord both attended the hearing. The Tenant stated she sent her Notice of Dispute Resolution Proceeding by registered mail sometime in late July 2022, but she could not recall when exactly, and she did not have proof of mailing. The Landlord stated they did not receive the Tenant's Notice of Dispute Resolution Proceeding package.

I note the following Rule of Procedure:

3.1 Documents that must be served with the Notice of Dispute Resolution Proceeding Package

*The applicant must, **within three days** of the Notice of Dispute Resolution Proceeding Package being made available by the Residential Tenancy Branch, serve each respondent with copies of all of the following:*

- a) the Notice of Dispute Resolution Proceeding provided to the applicant by the Residential Tenancy Branch, which includes the Application for Dispute Resolution;*
- b) the Respondent Instructions for Dispute Resolution;*
- c) the dispute resolution process fact sheet (RTB-114) or direct request process fact sheet (RTB-130) provided by the Residential Tenancy Branch; and*

d) any other evidence submitted to the Residential Tenancy Branch directly or through a Service BC Office with the Application for Dispute Resolution, in accordance with Rule 2.5 [Documents that must be submitted with an Application for Dispute Resolution].

See Rule 10 for documents that must be served with the Notice of Dispute Resolution Proceeding Package for an Expedited Hearing and the timeframe for doing so.

I find the Tenant failed to serve her Notice of Dispute Resolution Proceeding in accordance with the Rules of Procedure, which is prejudicial to the Landlord and their ability to understand and respond to the issues raised.

After considering the totality of the situation, I dismiss the Tenant's application, in full, with leave to reapply, given they failed to sufficiently demonstrate that they served the Landlord with the hearing documents.

Conclusion

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: December 05, 2022

Residential Tenancy Branch