



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

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

1. A Monetary Order for unpaid rent - Section 67;
2. A Monetary Order for damages to the unit - Section 67;
3. A Monetary Order for compensation - Section 67; and
4. An Order to recover the filing fee for this application - Section 72.

The Tenant did not attend the hearing. The Landlord states that evidence of service by email was provided by email to the Residential Tenancy Branch (the “RTB”), in person to a Service BC office or in the documents uploaded directly by the Landlord. The Landlord believes that a monetary worksheet was also provided. It is noted that the Landlord’s application does not provide details or full particulars of the monetary amounts being claimed. A review of each piece of evidence provided to the RTB by the Landlord was undertaken at the hearing and did not result in the discovery of any documentation of service by e-mail or any monetary order worksheet. The document under the description “proof of service” is a blank document.

In a Substituted Service Decision dated January 3, 2023 the Landlord was granted service of the application, notice of hearing and evidence to the Tenant’s email address. The Decision also makes the following order:

I order the landlord to provide proof of service of the e-mail which may include a printout of the sent item, a confirmation of delivery receipt, or other documentation to confirm the landlord has served the tenant in accordance with

this order. If possible, the landlord should provide a read receipt confirming the e-mail was opened and viewed by the tenant.

Section 59(2)(b) of the Act provides that an application for dispute resolution must include full particulars of the dispute that is to be the subject of the dispute resolution proceedings. Rule 2.5 of the Rules of Procedure requires an applicant to provide a detailed calculation of any monetary claim being made. As there is no evidence of service as ordered and as there is no monetary order worksheet or other detailed calculation of the monetary claims being made, I find that the Landlord has not established that service was accomplished as required and has not provided full particulars in the application for the monetary claims. I therefore I dismiss the application with leave to reapply. Leave to reapply is not an extension of any limitation period.

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

Dated: February 28, 2023

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Residential Tenancy Branch