



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants filed under the *Residential Tenancy Act* (the “Act”) to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “Notice”) issued on February 19, 2023.

Only the tenants appeared.

The tenants testified that they served the landlord with their application and notice of hearing by posting to the door. The tenants stated that they believe this matter has been resolved with the landlord.

In this case, the tenants have served the landlord in a method not permitted by section 89 of the Act. I find the landlord has not been duly served in accordance with the Act. Therefore, I must dismiss the tenant’s application.

However, I have not granted the landlord an order of possession because this matter may have been resolved and further the Notice submitted into evidence does not contain an effective date and is defective and does not comply with section 52 of the Act.

I have also removed the tenants two children from the style of cause on the covering page of the decision as they are not tenants under the Act as should not have been named.

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: March 28, 2023

Residential Tenancy Branch