



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding GOODRICH REALTY  
and [tenant name suppr to protect privacy]

## **DECISION**

Dispute Codes      OLC, FFT

### Introduction

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

- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

This matter was set for a conference call hearing at 9:30 a.m. on this date. Both parties participated in the hearing. DL testified that she was not served notice of this hearing from the tenant, but only through a courtesy reminder email on May 1, 2023 from the Branch that a hearing was scheduled for this date. The tenant confirmed that he did not serve the landlord the Notice of Hearing Package and Application for this hearing.

The reminder email from the Branch is simply a courtesy to the parties and not a substitute for the requirements that an applicant must complete as part of serving their application. The tenant was unable to satisfy me that the landlord had been served the Notice of Hearing Documents in accordance with Section 89 of the *Act* and as a result, I dismiss the tenant's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

### Conclusion

The tenant's application is dismissed with leave to reapply. The request to recover the filing fee is dismissed without 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: May 11, 2023

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Residential Tenancy Branch