



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RP, FFT

Introduction

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

- an order to the landlord to make repairs to the rental unit pursuant to section 32; 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. The tenant participated in the hearing, the landlord did not. The tenant testified that they had served the landlord by registered mail, however the tracking number submitted states the following on the Canada Post website:

"Customer addressing error found; attempting to correct. Possible delay".

The tenant testified that he wasn't sure that the landlord was carrying out business at the location nor did he provide a copy of the slip to reflect if the address of the package matches the address noted on the tenancy agreement.

The tenant was unable to satisfy me that the landlord had been served the Notice of Hearing Documents in accordance with the Act and as a result, I dismiss the tenants' 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 recovery of 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 01, 2023

Residential Tenancy Branch