

DECISION

Dispute Codes MT, CNC, ERP, RP, FF

Introduction

This is an application by the Tenant to allow for more time to make an application to cancel a notice to end tenancy. The Tenant has also applied if successful with more time to cancel the notice to end tenancy, to have the Landlord make emergency repairs for health or safety reasons, to make repairs to the unit, site or property and recovery of the filing fee.

Both parties have attended the hearing by conference call and gave testimony.

Issue(s) to be Decided

Is the Tenant entitled to more time to allow to him to make an application for the noted above?

Background and Evidence

The Tenant states in his details of dispute in his application that he is “disabled and illiterate”. The Tenant states that he did not understand the notice after reading it. The Tenant also states that he did not have the application fee and was waiting so that he could file the application with the fee. The Tenant stated in direct testimony that he was previously a Landlord and has only been through the Residential Tenancy Branch process once before.

The Tenant states that the Landlord was served in person on May 27, 2011 by another Tenant. The Landlord confirms receiving the notice of hearing package.

Analysis

I am satisfied based upon the direct evidence of both parties that the Landlord was properly served with the notice of hearing documents.

The Tenant has provided no compelling reasons or evidence to support his application for more time to file his application. The application filed by the Tenant clearly shows that he is not illiterate. The Tenant's direct evidence show that he was familiar with the dispute process as both a Tenant and a Landlord. The Tenant's application is dismissed.

None of the Tenant's details to dispute the notice to end tenancy, to have the Landlord make emergency repairs or make repairs to the unit, site or property were considered.

Conclusion

The Tenant's application to allow for more time to dispute the notice to end tenancy is dismissed.

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: June 20, 2011.

Residential Tenancy Branch