



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, LAT, SS

Introduction

This hearing dealt with a tenant's application to dispute a notice to end tenancy and for an order allowing the tenant to change the locks. The tenant attended the hearing but the landlord did not

At the start of the hearing, the tenant informed me that she had not served the landlord because he was travelling and she did not have information regarding his whereabouts.

Section 88 and section 89 of the *Residential Tenancy Act* address how to give or serve documents. The purpose of serving a notice of hearing under the Legislation is to notify the person being served of matters relating to arbitration. The landlord is entitled to have an opportunity to be heard at the hearing. Based on the testimony of the tenant, I find that the notice of hearing was not served in accordance with sections 88 and 89 of the *Act* and therefore I must dismiss the tenant's application with leave to reapply

Conclusion

The tenant's application is dismissed with 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: February 11, 2016

Residential Tenancy Branch

