



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ARPEG HOLDINGS LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC

### Introduction

On July 23, 2019, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a One Month Notice to End Tenancy for Cause (the "Notice") pursuant to Section 47 of the *Residential Tenancy Act* (the "Act").

The Tenant attended the hearing; however, the Landlord did not make an appearance during the 12-minute hearing. All in attendance provided a solemn affirmation.

The Tenant stated that he advised the building manager that he had applied for dispute resolution and the building manager advised him that he "wanted nothing to do with the dispute." The Tenant testified that the building manager then gave the Tenant some stamps and an envelope and the Tenant subsequently mailed, by regular mail, the Notice of Hearing package to the Landlord. However, he was unsure of when this package was mailed, and he did not have a witness when he mailed it. Based on this undisputed testimony, as the Tenant did not serve this package in accordance with Section 89 of the *Act*, I am not satisfied that the Landlord was served with the Notice of Hearing package. As such, I dismiss the Tenant's Application without leave to reapply.

### Conclusion

As the Notice of Hearing package was not served to the Landlord pursuant to Section 89 of the *Act*, I dismiss the Tenant's Application 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: September 23, 2019

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Residential Tenancy Branch