



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding H&L Condo Services Inc. and  
[tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNSD FF

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A participatory hearing was held on December 5, 2019. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "*Act*").

The Landlord and the Tenant both attended the hearing and provided testimony. The Tenant stated that she sent the Notice of Hearing along with supporting documentary evidence to the Landlord by registered mail on August 23, 2019. The Landlord stated she did not get this package, and only knew about the hearing because she got a reminder email from the Residential Tenancy Branch just before the hearing today. The Tenant stated that she sent the registered mail package to an address she found online which she believed to be the business address of the Landlord. The Landlord stated that this was not the business address. The Tenant provided a copy of the Tenancy Agreement, which clearly lists the address for service for the Landlord as a different address. The Tenant stated she did not realize the Landlord's mailing address was on the tenancy agreement until after she had already mailed it to the other address she found.

As discussed during the hearing, I do not find the Tenant has sufficiently served the Landlord with her Notice of Hearing or her evidence. The Tenant had the Landlord's address for service (as listed on the Tenancy Agreement). However, she mailed it to a different address, which the Landlord did not provide to the Tenant.

As the Notice of Hearing has not been sufficiently served for the purposes of this *Act*, I dismiss the Tenant's application in full, with leave to reapply.

Although the Landlord was present at the hearing, she was not sure as to what the issues were. I find it would be prejudicial to the Landlord to proceed with the hearing, without giving her a proper chance to understand and respond to the case filed against her. This was explained to the parties in the hearing.

### Conclusion

I dismiss the Tenant's application in full, 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: December 05, 2019

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Residential Tenancy Branch