



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding WESTSEA CONSTRUCTION
LTD and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR-DR MNR-DR FFL

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act) for an order of possession for unpaid rent or utilities, for a monetary order of \$1,245.00 and to recover the cost of the filing fee.

An agent for the landlord, JT (agent) and a building manager for the landlord, BS (manager) attended the teleconference hearing. The parties were affirmed and the hearing process was explained. The parties were also permitted to ask questions.

Preliminary and Procedural Matters

The agent confirmed their email address at the outset of the hearing and stated that they understood that the decision would be emailed to them.

At the outset of the hearing, the agent stated that the tenant passed away on January 20, 2022. As the application was filed on January 31, 2022, I find that the tenant could not be served in accordance with the Act. Furthermore, the agent confirmed that they are not aware of whether the tenant has an Estate.

As a result, the agent was informed that they could contact the Public Guardian and Trustee of British Columbia and that the following website has further information and contact information, www.trustee.bc.ca.

This application is **dismissed with leave to reapply, due to a service issue.**

The filing fee is not granted due to a service issue.

Conclusion

The landlord's application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the Act.

This decision will be emailed to the parties as noted above.

The filing is not granted due to the service issue.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 3, 2022

Residential Tenancy Branch