



## Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

This hearing was scheduled in response to the Landlord's Application for Dispute Resolution, in which the Landlord has made application for a monetary Order for unpaid rent, and to recover the filing fee from the Tenant for the cost of this Application for Dispute Resolution.

The Landlord stated that the Tenant did not provide her with a forwarding address. She stated that she mailed copies of the Application for Dispute Resolution and Notice of Hearing to the Tenant's boyfriend's residence, but these documents were returned to her.

Section 89(1) of the Act stipulates, in part, that an application for dispute resolution for unpaid rent must be given in one of the following ways:

- (a) by leaving a copy with the person;
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;
- (c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord;
- (d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant.

As the evidence shows that the Tenant was not served with Notice of the Hearing as required by Section 89(1) of the *Act*, I must dismiss the Landlord's Application for Dispute Resolution, with leave to reapply. The Landlord retains the right to proceed with this matter at a future date if she is able to properly serve the Tenant with notice of the proceedings.

Date of Decision: February 12, 2009

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