



# Dispute Resolution Services

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

## **DECISION AND REASONS**

Dispute Codes: MNR, MNSD, & FF

### Introduction:

This hearing dealt with an application by the landlord for a monetary claim related to non-payment of rent by the tenant and a request to retain the tenant's security deposit plus interest in partial satisfaction of this claim.

The landlord acknowledged that the tenant was served by the mail box at the rental unit which the tenant has abandoned. The landlord stated that they discovered the rental unit to be abandoned in December 2008 after the tenant had failed to pay rent. The landlord stated that he believed or had knowledge that the tenant continued to pick up his mail. However, the landlord did not have any evidence to support this claim.

Unfortunately, serving the notice of hearing and of this application to the mail box of rental unit is not sufficient service as required by section 89 of the *Act*. The landlord is required to serve the tenant by registered mail to an address at which the tenant currently resides, by registered mail to a forwarding address provided by the tenant or in person to the tenant.

As a result I dismiss the landlord's application with leave to re-apply.

Dated February 12, 2009.

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Dispute Resolution Officer