



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

MND, MNR, MNSD, MNDC, FF

Introduction

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, to retain all or part of the security deposit, and to recover the filing fee from the Tenant for the cost of this Application for Dispute Resolution.

The Landlord stated that copies of the Application for Dispute Resolution and Notice of Hearing were sent to the Tenant via registered mail at the address noted on the Application. The Landlord was unable to provide the date the registered mail was sent or the Canada Post tracking number. There is no evidence before me of a Canada Post receipt. The Landlord testified that the Tenant did sign, accepting the registered mail, but could not provide the date that the mail was accepted.

In the absence of evidence of the details of the registered mail, I find that the Tenant has not been sufficiently served with Notice of this hearing and that the Application is dismissed with leave to reapply.

Conclusion

This Application for Dispute Resolution is dismissed 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: November 04, 2009.

Dispute Resolution Officer