



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MND, MNSD, FF, (SS)

Introduction

This matter dealt with an application by the Landlord for a monetary order for damages to the rental unit, to recover the filing fee for this proceeding and to keep the Tenant's security deposit in partial payment of those amounts.

The Landlord said he served the Tenant's personal representatives (ie. his daughters) with the Application and Notice of Hearing to an address provided by them by registered mail on October 15, 2009 however they did not pick up the hearing package. The Landlord also provided a copy of a letter from one of the Tenant's daughters dated September 29, 2009 which sets out her address and identifies herself as a representative.

In the absence of any evidence, however, that the Tenant's daughters are *legally* authorized to act as his representative, I order the Landlord pursuant to s. 71 of the Act to re-serve his application and evidence package on the Tenant either in person or by registered mail in care of the Tenant's daughters at the address provided by his daughter in her correspondence and that such service shall be sufficient for the purposes of the Act.

Conclusion

The Landlord's application is adjourned to **March 24, 2010 at 1:30** for hearing and new Notices of Reconvened hearing will be issued to both parties by the Residential Tenancy Branch.

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: February 08, 2010.

Dispute Resolution Officer