



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, MNDC, O

### Introduction

This matter was scheduled to deal with an application by the landlords for an Order of Possession and a Monetary Order for unpaid rent, a Monetary Order for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*, regulation or tenancy agreement and to keep all or part of the security deposit.

The landlord's state that the tenant has moved from the rental unit and did not provided them with a forwarding address. The landlords obtained an address from the tenants' brother and sent him the hearing documents to this address. However these documents have been returned to the landlords.

I must be satisfied that the rights of all parties have been upheld by ensuring the parties have been given proper notice to be able to defend their rights. In the absence of proof that the service of documents have been served in accordance with section 89(1)(d) of the *Act* to the forwarding address provided by the tenant, I am not satisfied that service has taken place in accordance with section 89 of the *Act* and I dismiss the landlord's application 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: September 30, 2010.

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Dispute Resolution Officer