

DECISION

Dispute Codes MNR, FF

Introduction

This is an application by the Landlord for unpaid rent or utilities and is also seeking the recovery of the filing fee. The Landlord appeared by conference call. The Tenant did not attend. At the beginning of the hearing the Landlord stated that Canada post registered mail was returned from the address provided by the Tenant as a forwarding address as being a false address. The Landlord made another attempt at service by gaining the Tenant's business address through the local better business bureau and the hearing package was again returned by Canada Post as an unknown address. The Landlord has asked for substitute service during the hearing providing details from a previously filed application for substitute service indicating the above facts. The Landlord states as an alternative that an advertisement be placed in the Squamish Chief Newspaper, asking the Tenant's to contact the Landlord's agents. The Landlord states that this is likely because the Tenant has a local business with which they obtained from the local better business bureau.

Analysis

I find that the Landlord has not properly served the Tenant and as such dismiss the application with leave to reapply. Although the Landlord has made a reasonable attempt at serving the Tenant, there was not a likely hood of the Tenant being served as Canada Post has indicated to the Landlord that service was not possible.

Conclusion

The application is dismissed with leave to re-apply.

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 26, 2010.

Dispute Resolution Officer