



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## DECISION

Dispute Codes      MNR< MNSD, OPR, FF

This was an application by the landlord for a monetary order for unpaid rent. The hearing was conducted by conference call. The landlord attended but the tenant did not call into the conference and did not participate. The landlord resides in Ontario. The landlord sent documents to the tenant by a parcel delivery service for overnight delivery. The landlord provided a copy of the parcel shipping order, but she did not provide proof of delivery or a signature by the landlord acknowledging delivery.

Section 89 of the *Residential Tenancy Act* provides that an application for dispute resolution must be given to a tenant by leaving a copy with the tenant, or by sending a copy by registered mail to the address where the tenant resides or to a forwarding address provided by the tenant. The landlord's representative sent documents to the tenant's place of employment. I was not provided with any evidence to show that the application and notice of hearing were received by the tenant.

The method of delivery chosen by the applicant is not a method authorized by section 89 of the Act, because the tenant's place of employment is not an authorized location where a tenant may be served by registered mail. Section 89 is mandatory; it provides that an application must be given in one of the ways provided. In the absence of proof of service of the application for dispute resolution, the landlord's application is dismissed with leave to reapply.

Dated: February 02, 2011.

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