



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## DECISION

Dispute Codes:

**MNR, 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 compensation for unpaid rent; compensation for damage or loss under the Act and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

The landlord provided evidence of service of the Notice of hearing to each tenant sent by registered mail on December 15, 2010. The registered mail was not accepted by either tenant.

The landlord provided a copy of a December 7, 2010, email from her realtor who stated that another realtor at her office had told her that the tenants were residing at the service address. As the landlord did not have a telephone and the system used for dialing in witnesses during hearings was not functioning, I called the landlord's witness into the hearing via a separate telephone line.

During my attempt to reach the witness I spoke with the individual at the realty office who had apparently provided information on the residents at the service address; she stated that she did not know who lived at the property and declined to participate in the hearing.

Witness B.D. also had no direct knowledge of the residents at the address used for service.

As there was no evidence before me confirming that the respondents live at the address used for service the application was dismissed with leave to reapply.

### Conclusion

The application 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: April 12, 2011.

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Residential Tenancy Branch