



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNR, MNSD, MNDC, FF

This was an application by the **Landlord**. The application names two tenants, Tenant A and Tenant B. The Landlord served the application and Notice of Hearing for both Tenants to only Tenant B and stated that she assumed that Tenant A resided with Tenant B. Tenant B stated that Tenant A does not reside at the same address as Tenant A and the Landlord confirmed that no enquiries were made to determine the residence of Tenant A.

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 that 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***. As the Landlord did not serve the documents to Tenant A at the place where he resides, I find that the Landlord did not provide the required service on Tenant A. Accordingly, I dismiss the Landlord's application with leave to reapply.

Conclusion

The Landlord's 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 28, 2011.

Residential Tenancy Branch