



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MND, MNSD, MNDC, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has made application requesting compensation for damage to the rental unit, damage or loss under the Act, to retain all or part of the security deposit and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

The landlord testified that on June 16, 2011, he served the tenant with Notice of this hearing by placing the Hearing Package in the mail slot of the tenant's residence. The tenancy ended on May 13, 2011, at the tenant had provided a forwarding address on an undisclosed date.

The landlord stated he did not serve the tenant via registered mail as there was a postal strike during this time. The landlord did not serve the tenant via personal delivery or any other method.

In the absence of evidence that the tenant has been served with Notice of this hearing as required by section 89(1) of the Act; either personal delivery or registered mail; I find that the tenant has not been served with Notice of this hearing and that the application is dismissed with leave to reapply.

I note that the application was submitted on June 10, 2011; no evidence submission was made. The landlord requested an adjournment; in the absence of evidence of service the adjournment was not considered.

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: September 13, 2011.

Residential Tenancy Branch