



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has made application for an Order of Possession for Unpaid Rent and a monetary Order for unpaid rent.

The landlord provided affirmed testimony that on August 15, 2011, copies of the Application for Dispute Resolution and Notice of Hearing were sent to each tenant via registered mail at the address noted on the Application. A Canada Post tracking number was provided as evidence of service to each tenant.

The landlord stated that the tenants vacated the rental unit on August 15, 2011, and she believes they picked up the registered mail notices from the rental unit postal box.

Section 89 of the Act requires service to the address where the respondent resides. The tenants vacated the rental unit on the day the registered mail was sent and there was no evidence before me that either of the tenants accepted the registered mail after they vacated.

In the absence of evidence that the tenants signed, accepting the registered mail, I find that these documents have not been served and that the application is 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: September 15, 2011.

Residential Tenancy Branch