



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, OPR, MNSD, MNR

This matter was set for a conference call hearing at 1:30 p.m. on this date. The landlord participated in the hearing, the tenant did not. The landlord gave affirmed testimony that he sent the Notice of Hearing documents by registered mail **after** the tenant had vacated the unit. The landlord registered the mail to the vacant unit that the tenant no longer resided at and would not be made aware of the awaiting mail or today's hearing. The landlord also advised that he had lost contact with the tenant and had no idea where he was. In addition the landlord did not supply the rental agreement with certain conditions that he wished to rely on. The landlord was unable to satisfy me that the tenant had been served the Notice of Hearing Documents in accordance with the Act and as a result, I dismiss the landlord's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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: June 12, 2012.

Residential Tenancy Branch