



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

MNR, MNSD MND

Introduction

This Dispute Resolution hearing was held to deal with an Application by the landlord for a monetary order based on a Ten Day Notice to End Tenancy for Unpaid Rent . The landlord was in attendance. The tenant did not appear.

Preliminary Issue

At the outset of the hearing, the landlord advised that the Notice of Dispute Resolution Hearing documents were confirmed as not being served to the correct address.

The burden is on the applicant to prove that the service was in accordance with the Act.

Given the above, I find that the matter under dispute cannot proceed because the landlord conceded that the tenant was not served. I find that I must dismiss this application with leave to reapply at a later date, should the landlord wish to proceed, once the correct service address has been found for the respondent.

Conclusion

Based on evidence and testimony, I hereby dismiss this application 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: July 12, 2012.

Residential Tenancy Branch