



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

This hearing dealt with an application by the landlord for a monetary order. The landlord presented evidence showing that she served the respondents with the application for dispute resolution and notice of hearing via registered mail (the "Hearing Documents") sent to the address of the mother of A.M. A.M. appeared at the hearing and gave evidence, with which the landlord agreed, that she was not listed on the tenancy agreement and had never paid rent to the landlord. The landlord testified that the registered letter sent to F.S. was returned as unclaimed.

I find that the respondent A.M. was a mere occupant and not a tenant and is therefore not liable for any losses incurred by the landlord. I dismiss the claim as against A.M.

I find that the respondent F.S. was the sole tenant. As the landlord did not send the Hearing Documents to the address at which F.S. resides or to a forwarding address provided by him, I find that F.S. was not served with the Hearing Documents and I dismiss with leave reapply the claim as against F.S.

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: October 15, 2012

Residential Tenancy Branch

