



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPT

Introduction and Analysis

This hearing dealt with the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking an order of possession for the rental unit.

The tenant appeared; the landlord did not appear.

The tenant testified that she served the landlord with the Application for Dispute Resolution and Notice of Hearing by registered mail, but that the address used was an incorrect address and the registered mail was returned to her, indicating such.

Section 89 of the Residential Tenancy Act requires that an application for dispute resolution be served upon the respondent (the landlord in this case) in person, or if a landlord, by leaving a copy with an agent of the landlord, by registered mail to the address at which the person resides, or if a landlord, by registered mail to the address at which the person carries on business as a landlord.

Conclusion

I find the tenant failed to serve the landlord her application for dispute resolution in a manner required by the Act when she listed an incorrect address on the registered mail envelope. I therefore dismiss the tenant's application, with leave to reapply.

Leave to reapply does not extend any applicable time limitation deadlines.

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 12, 2012.

Residential Tenancy Branch