



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MND, MNR, FF

### Introduction

This hearing was convened in response to an application filed by the landlord seeking a monetary order including recovery of the filing fee paid for this application in the sum of \$8,146.78.

The landlord appeared and gave evidence under oath. The tenants did not appear. The landlord testified that he served the tenants with the application and notice of hearing by way of sending it by mail. The landlord then confirmed that it was sent via registered mail. The landlord, however, could not provide details as to when the notice and application were sent. The landlord stated that the evidence was provided to the Government Agent however the evidence in the file in this regard is a copy of a photocopy of a Canada post stamp on what appears to be a Canada Post receipt however the receipt does not show a Canada Post tracking number nor does it show the names of the individuals or the address this item was sent to.

Given that the tenants have not appeared at this hearing and the landlord is unable to supply sufficient evidence to show that the tenants were in fact served with notice of this hearing I am not satisfied that they have been served. This matter is therefore 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: January 17, 2013

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Residential Tenancy Branch

