



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes:

**OPR, MNR, MNSD, FF**

### Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has made application for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, to retain all or part of the security deposit, and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

This matter was set for hearing at 10:30 a.m. on this date. The applicant attended and provided affirmed testimony that the tenant had vacated the rental unit on January 13, 2013. The landlord said that on January 18, 2013 the tenant had been served with notice of this hearing, via registered mail, sent to an address that had been provided by the tenant at the start of the tenancy.

The landlord was given an opportunity to check the Canada Post web site, to establish whether or not the tenant had received the mail; he was not successful. The landlord had no evidence of the tenant's current residential address and no proof that the registered mail had been successfully delivered to the tenant. Therefore, in the absence of service to the tenant, as required by section 89 of the Act, to an address where the tenant currently resides, I determined that service had not been completed and the application was dismissed with leave to reapply.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: February 18, 2013

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Residential Tenancy Branch

