



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MND MNR FF

### Introduction

This hearing dealt with the landlords' Application for Dispute Resolution, seeking a monetary order for unpaid rent or utilities, for damage to the unit, site or property, and to recover the filing fee.

The landlords attended the hearing. As the tenants did not attend the hearing, service of the Notice of a Dispute Resolution Hearing (the "Notice") was considered. The landlords testified that the Notice was mailed via registered mail to both tenants. The landlords confirmed that the tenants did not provide a forwarding address when they vacated the rental unit. The landlords stated that they received the new addresses for the tenants from the landlords' friends who searched the internet and found the addresses. The landlords testified that they have not seen the tenants at the addresses provided and did not have further proof to support that the tenants were living at the addresses to which the registered mail packages were mailed on February 5, 2013.

The landlords testified that they confirmed via the online registered mail tracking website that the tenants had not picked up their registered mail packages as of February 15, 2013.

### Preliminary and Procedural Matters

Residential Tenancy Branch Policy Guideline #12 Service Provisions requires that where a landlord is serving tenants by registered mail, the address for service must be where the tenants reside at the time of mailing, or the forwarding address provided by the tenants. The landlords were unable to provide evidence to support that the tenants were living at the addresses where the registered mail packages were mailed, other than to say their friends provided the addresses to them after searching on the internet. Therefore, **I find** the tenants have not been served in accordance with Policy Guideline #12.

Both parties have the right to a fair hearing. The tenants would not be aware of the hearing without having received the Notice of a Dispute Resolution Hearing. Therefore, I **dismiss** the landlords' application **with leave to reapply** as I am not satisfied the tenants have been sufficiently served with the Notice of a Dispute Resolution Hearing. I note this decision does not extend any applicable time limits under the *Act*.

### Conclusion

The landlords' application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the *Act*.

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: April 29, 2013

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Residential Tenancy Branch