



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Century 21 Property Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR, MNSD

Decision and reasons

It is my decision that I will not proceed with the hearing on this matter, because the respondent has not been served with notice of today's hearing.

Section 89 of the Residential Tenancy Act states:

89 (1) An application for dispute resolution must be given in one of the following ways:

- (a) by leaving a copy with the person;
- (b) if the person is a landlord, by leaving a copy with an agent of the landlord;
- (c) by sending a copy by registered mail to *the **address at which the person resides*** (my highlighting) or, if the person is a landlord, to the address at which the person carries on business as a landlord;
- (d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant;
- (e) as ordered by the director under section 71 (1)
[director's orders: delivery and service of documents].

In this case the applicant mailed the documents to the dispute address, by registered mail, on January 30, 2013, however the respondent did not reside at the dispute address and had not done so since November of 2012 and the documents were returned to the landlord as unclaimed.

Conclusion

This application is 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: April 22, 2013

Residential Tenancy Branch

