



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC

Introduction

This matter dealt with an application by the landlord for a Monetary Order for compensation for loss of revenue, repairs and cleaning expenses to the rental unit, to recover the filing fee for this proceeding and to keep the tenants' security deposit in partial payment of those amounts. Only the landlord attended the hearing.

Issues(s) to be Decided

Is the landlord entitled to compensation if so, how much?

Background and Evidence

The landlord testified that the Application for Dispute Resolution package was sent by registered mail on April 9, 2012 to an address she thought was the tenants' which was provided by her friend. When the package was returned as unclaimed the landlord went to the address and investigated on her own. She determined that the tenants did not reside at that address. The landlord does not know where the tenants current address is as they had not provided it to her. The tenants moved out in breach of the Act in June 2012 and the landlord sustained a loss of rent, revenue and incurred expenses.

Analysis

I find that despite her best efforts the landlord has not served the tenants in accordance with the Act. I have dismissed the landlord's application with leave to reapply for the same relief and or an Order for Substituted Service.

Conclusion

The application is dismissed with leave to reapply. There will not be any recovery of the filing fee.

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: May 13, 2013

Residential Tenancy Branch