



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, OPC, MNSD, MNR, FF

Introduction

This is the Landlord's application for an Order of Possession; a Monetary Order for unpaid rent; to apply the security deposit towards its monetary award; and to recover the cost of the filing fee from the Tenant.

The Landlord's agent gave affirmed testimony at the Hearing.

Preliminary Matters

The Landlord's agent testified that she mailed the Notice of Hearing documents, by registered mail, to the Tenant at the rental unit on May 26, 2013. The Landlord provided a copy of the registered mail receipt and tracking number in evidence.

A search of the Canada Post Tracking system indicates that the registered package was "returned to sender, incomplete address". Therefore, I find that the Landlord has not provided sufficient proof that the Tenant was served with the Notice of Hearing documents, and I dismiss the Landlord's application with leave to reapply.

Conclusion

The Landlord's 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: June 21, 2013

Residential Tenancy Branch