



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDC, MNR, FF

Introduction

This is the Landlord's application for a Monetary Order for unpaid rent and loss of revenue and to recover the cost of the filing fee from the Tenant.

The Landlord and his agent gave affirmed testimony at the Hearing.

Preliminary Matters

The Landlord testified that he mailed the Notice of Hearing documents, by registered mail, to the Tenant on May 4, 2013. He stated that the Tenant did not provide a forwarding address at the end of the tenancy, but he found out where she is now living. He stated that a friend told him the Tenant's new address. The Landlord provided the tracking number for the registered documents.

A search of the Canada Post Tracking system indicates that the registered documents were successfully delivered on May 7, 2013. However, the signatory's name is someone other than the Tenant.

Section 89(1)(c) of the Act allows service of an Application for Dispute Resolution to be made by sending a copy by registered mail to the address at which the person resides. However, I find that there is insufficient evidence that the Tenant lives at the address where the registered documents were sent.

The teleconference remained open for 12 minutes and the Tenant did not sign into the conference. As the Landlord has not provided sufficient evidence that the Tenant was served with the Notice of Hearing documents, 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: July 24, 2013

Residential Tenancy Branch