



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPR, MND, MNR, FF

### **Introduction**

This is the Landlord's application for an Order of Possession; a Monetary Order for unpaid rent and damages; and to recover the cost of the filing fee from the Tenant.

### **Preliminary Matters**

The Landlord testified that he mailed the Notice of Hearing documents, by registered mail, to the Tenant at the rental unit. He stated that he was not certain when he mailed the documents. The Landlord testified that he was calling into the teleconference from work and that he did not have the registered mail receipt at work, but could fax it in.

I told the Landlord that I would allow him to fax the receipt and tracking number to the Residential Tenancy Branch, provided him the fax number, and explained to him that he must do so as soon as he returned home from work.

The Residential Tenancy Branch did not receive the registered mail receipt within two days of the Hearing, and therefore I find that the Landlord has not provided sufficient evidence that the Tenant was served with the Notice of Hearing documents. Therefore, I dismiss the Landlord's application with leave to reapply.

### **Conclusion**

The Landlord's application is dismissed, with leave to reapply. This does not extend any existing time limits that may apply.

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: August 30, 2013

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Residential Tenancy Branch

