



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes MT CNC CNR MNDC OLC PSF RPP LRE LAT RR O

Introduction

This hearing was convened pursuant to an application by the tenant to cancel two notices to end tenancy, as well as for monetary compensation and several other orders. The tenant and the landlord participated in the teleconference hearing.

Preliminary Issues

At the outset of the hearing the tenant confirmed that he had moved out of the rental unit, and therefore most of his application, aside from the claim for monetary compensation, was moot. I therefore dismissed all other portions of the tenant's application except the claim for monetary compensation.

The landlord stated that she had submitted evidence of her monetary claim against the tenant, but she had not filed her own application. The tenant stated that he had submitted two CDs to the RTB as evidence to support his claim; however, at the time of the hearing I did not have either CD included in the tenant's file. The tenant did not serve his second CD, regarding cleaning of the suite, to the landlord. I determined that in the circumstances it was appropriate to adjourn the tenant's application so that he might serve his second CD on the landlord, and so that the landlord may file her application to be heard with the tenant's application. I note that the tenant's CD evidence submitted to the Branch has been located and is now properly added as evidence to the tenant's application.

The tenant had listed his service address in his application as the rental unit address. As the tenant has now vacated the unit, I asked him to provide a new service address. The tenant replied that he should be served at "General Delivery, Campbell River." The tenant was unable to provide a postal code. I verified with the tenant that he had already arranged to receive mail at this address, and he confirmed it. I was unable to discover a postal code for this address. However, as the tenant provided this address for service, it

is appropriate for the Branch and the landlord to serve the tenant at the service address provided. If the landlord serves the tenant by registered mail at the service address, the tenant will be deemed served five days after mailing, whether he in fact receives the registered mail or not. If the tenant wishes to provide a different address for service, he must immediately do so, by contacting the Branch and by informing the landlord of the different service address.

The hearing is adjourned to the date and time in the enclosed notice of adjourned hearing.

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: September 19, 2013

Residential Tenancy Branch

