



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, MNDC, FF

### Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the landlord.

The landlord testified each of the tenants was originally served with the notice of hearing documents and this Application for Dispute Resolution, pursuant to Section 59(3) of the *Residential Tenancy Act (Act)* by registered mail on August 20, 2013 to their place of employment, because she did not know their forwarding address.

The landlord went on to say the tenants did not claim that registered mail and that she later became aware of the tenant's new residential address. The landlord submits that she served the hearing documents to the tenants on October 18, 2013 by posting them to their home address door.

Section 89 states that an Application for Dispute Resolution by a landlord must be given or served in one of the following ways:

- a) By leaving a copy with the person;
- b) By sending a copy by registered mail to the address at which the person resides;
- c) By sending a copy by registered mail to a forwarding address provided by the tenant; or
- d) As ordered by the director under Section 71(1);

From her testimony and written submission I find the landlord failed to serve the tenants with her Application for Dispute Resolution and notice of this hearing in accordance with the *Act*.

### Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for compensation for losses suffered during the tenancy; for all or part of the security

deposit and to recover the filing fee from the tenants for the cost of the Application for Dispute Resolution, pursuant to Sections 37, 38, 45, 67, and 72 of the *Act*.

Conclusion

For the reasons noted above I dismiss the landlord's Application in its entirety 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: November 27, 2013

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Residential Tenancy Branch

