



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

The landlord applies for an order of possession and a monetary award for unpaid rent. The tenants left the premises in mid-October and so an order of possession is no longer sought.

The landlord reported that the application for dispute resolution and notice of hearing were first served on the tenants by registered mail to the dispute address. However, they were returned by the Post Office noting “recipient not located at address provided.” The landlord then sent the documents to her brother in law who apparently reported to the landlord that he had delivered them on both tenants.

At hearing I found that the landlord had not proved service. The application was suspended for a period of two weeks to allow the landlord to file a certificate of service signed by her brother in law.

Those two weeks have now passed without a certificate being filed. I therefore dismiss the landlord’s application with leave to re-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: January 06, 2014

Residential Tenancy Branch

