



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Intercity Developments Ltd. c/o Hunter McLeod Realty Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested an Order of possession for Unpaid Rent, a monetary Order for unpaid rent and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

The agent for the landlord provided affirmed testimony that they obtained possession of the rental unit between January 5 and 8, 2014. Copies of the Application for Dispute Resolution and Notice of Hearing were sent via registered mail on January 8, 2014. The landlord mailed the documents to the rental unit address. During the hearing the landlord checked the Canada Post web site and found that the mail has not been accepted by the tenant.

As the landlord has served the tenant at an address where she did not reside I find that service, in accordance with section 89 of the Act, has not been completed.

Therefore, as service has not been completed, I find that the application is dismissed with leave to reapply within the legislated time-frames.

Conclusion

The application is dismissed with leave to reapply.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: February 03, 2014

Residential Tenancy Branch

