



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 583320 B.C. Ltd. and Royal LePage City Centre
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This was a hearing with respect to the landlord's application for an order for possession and a monetary order for unpaid rent. The landlord's representative called in and participated in the hearing. The tenant did not attend. The landlord's representative testified that the tenant has moved out of the rental unit and the landlord is now seeking only a monetary order. The landlord's representative testified that the tenant was served with the application for dispute resolution and Notice of Hearing by posting them to the door of the rental unit.

Analysis

Sections 88 and 89 of the *Residential Tenancy Act* provide that an application for dispute resolution seeking a monetary order must be served upon a tenant by leaving a copy with the tenant or by sending a copy to the tenant by registered mail to the address where the tenant resides or to a forwarding address provided by the tenant. Service by posting to the door of the rental unit is not an effective means of service for this application in which a monetary order is sought

Conclusion

Because the application and Notice of Hearing were not served as required by the Act, this application is dismissed 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: February 20, 2014

Residential Tenancy Branch

