



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LI-CAR MANAGEMENT GROUP
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, OPB, MNSD, MNDC, FF

Introduction

This hearing was scheduled to deal with cross applications. The tenant filed to dispute a 10 Day Notice to End Tenancy for Unpaid Rent. The landlord filed for an Order of Possession for a mutual agreement to end tenancy; as well as monetary compensation for loss of rent and authorization to retain the security deposit. The tenant did not appear at the hearing.

The landlord confirmed receiving the tenant's Application for Dispute Resolution. Since the tenant failed to appear at the hearing and the landlord did appear and prepared to respond to the tenant's Application, I dismissed the tenant's Application without leave.

The landlord confirmed the tenant has since vacated the rental unit and an Order of Possession is no longer required; however, the landlord wished to proceed with the landlord's monetary claim.

The landlord testified that the landlord's hearing package was sent to the tenant at the rental unit address via registered mail on February 6, 2014; however, the registered mail was returned indicating the tenant had moved. The landlord testified that the tenant was last seen at the rental unit on February 10, 2014 and vacancy was confirmed by the landlord on February 11, 2014. A search of the registered mail tracking number showed that Canada Post attempted delivery on February 10, 2014 and noted that the recipient could not be located at that address. Based upon the information before me, and in keeping with the principles of natural justice, I found service of the landlord's hearing package was ineffective and I dismissed the Application for Dispute Resolution with leave to reapply.

Conclusion

The landlord's monetary claims are 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: March 20, 2014

Residential Tenancy Branch

