



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

The tenant applies for a monetary award for the equivalent of double rent pursuant to the provisions of s. 51 of the *Residential Tenancy Act* (the “Act”). He argues that the purchasers of the rental unit, a strata apartment, did not move in after purchase, but rather, rented the apartment out to others.

The tenant’s landlords appear to have been Mr. R.T. and Ms. V.T.. No written tenancy agreement was filed. The tenant indicated the tenancy was for a five year fixed term ending in April 2014. The tenant claims the notice to end his tenancy on October 1, 2013 came by email; not an “approved” form of notice as required by s.52 of the *Act*.

The tenant served the landlords Mr. R.T. and Ms. V.T. by registered mail sent about two weeks ago to an address in Alberta they had provided to him during his tenancy. The tenant reports that the mail has been returned and that the address is no longer current.

In these circumstances I find the tenant has not served his former landlords Mr. R.T. and Ms. V.T. in accordance with the s.89 of *Act* which provides that an application for a monetary award may be served “ by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person carries on business as a landlord.”

In these circumstances I dismiss the tenant’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: March 28, 2014

Residential Tenancy Branch

