



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND, MNR, MNSD, FF

### Introduction

This hearing was convened by way of a conference call in response to an Application for Dispute Resolution (the “Application”) made by the Landlord for a Monetary Order for: unpaid rent or utilities; for money owed or compensation for loss under the *Residential Tenancy Act* (the “Act”), regulation or tenancy agreement; to keep all or part of the pet damage or security deposit; and to recover the filing fee.

There was no appearance by the Tenant for the duration of the hearing.

The Landlord appeared for the hearing and provided affirmed testimony as well as written evidence in advance of the hearing. As the Tenant failed to appear for the hearing, I considered the Landlord’s submissions in relation to the service of the Notice of Hearing, the copy of the Application and the Landlord’s evidence.

The Landlord testified that the Tenant abandoned the rental suite at some point in January, 2014 without notice and has not provided a forwarding address. The Landlord testified that the address on the Application to which she served the documents to was obtained from the ‘Facebook’ website where the Tenant had provided this address for the delivery of pet crate. The Landlord provided the Canada Post tracking number as evidence for this method of service and the Canada Post tracking history which indicates that the documents were not picked up by the Tenant and were returned to the sender.

However, the Landlord did not provide any written corroborative evidence of the address for the Tenant on the Application and I am not satisfied that the address on the Application is an address where the Tenant is able to receive documents relating to a formal legal proceeding.

Conclusion

As a result, I am not satisfied that the Landlord has served the Tenant with the Notice of Hearing documents for these proceedings. Therefore, the Landlord's Application is dismissed. However, I provide the Landlord leave to re-apply when they have more conclusive evidence of service in accordance with the Act.

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: May 06, 2014

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Residential Tenancy Branch

