



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding URBAN CITY RENTALS  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNR

### Introduction

This hearing was scheduled to deal with the landlord's application for an Order of Possession for unpaid rent and a Monetary Order for unpaid rent. The tenant did not appear at the hearing. The landlord testified the hearing documents were sent to the tenant via registered mail on May 4, 2014. The landlord had not provided a copy of the registered mail receipt prior to the hearing and was unable to provide the registered mail tracking number during the hearing as he was away from his office. I ordered the landlord to provide me with the registered mail receipt upon returning to the office and explained that I would continue to hear this matter but that the outcome would depend upon receiving proof of service.

On June 25, 2014 the landlord sent correspondence to me. In that correspondence the landlord indicates that the registered mail tracking details could not be located. The landlord stated in his letter that the registered mail sent to the tenant was returned to his office as the tenant did not pick it up. The landlord did not extract the tracking information off of the returned registered mail envelope or provide a copy of the envelope with his correspondence.

Where a respondent does not appear at the scheduled hearing, the applicant bears the burden to prove the respondent was served with the hearing documents in a manner that complies with the Act. Residential Tenancy Policy Guideline 12: *Service Provisions* provides further information with respect to service requirements and providing proof of service.

In the absence of a registered mail receipt, tracking number, or copy of the registered mail envelope returned to the landlord, I find I have not been provided sufficient proof that the tenant was sufficiently served with notification of this proceeding. Therefore, I dismiss the landlord's application 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: July 03, 2014

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Residential Tenancy Branch