



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Prudential Kelowna Properties
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, MNDC, MNR, MNSD, FF

This is an application filed by the landlord for a monetary order for damage to the unit, site or property, for money owed or compensation for damage or loss, for unpaid rent or utilities, to keep all or part of the security deposit and recovery of the filing fee.

The landlord attended the hearing by conference call and gave testimony. The tenant did not attend or submit any documentary evidence. The landlord stated that the tenant was served with the notice of hearing package by Canada Post Registered Mail on March 24, 2014 to the tenant's last forwarding address at his mother's home. The landlord states that the notice of hearing package was unclaimed. It was clarified by the landlord that the tenancy ended in July of 2013 and that the owner was friends with the tenant and was trying to work out a compromise over the dispute. The landlord could not provide any details if the tenant was still receiving mail at his mother's home or if he lived there.

This matter was set for a conference call hearing at 10:30a.m. on this date. At 10:37am the landlord disconnected from the hearing before the conclusion without explanation.

The Landlord was unable to satisfy me that the Tenant had been served the Notice of Hearing Documents in accordance with the Act and as a result, I dismiss the Landlord's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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 11, 2014

Residential Tenancy Branch

