



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Antana Holdings Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNR, MNSD, OPR

### Introduction

This was the hearing of an application by the landlord for a monetary award and order to retain the security deposit and an order for possession. The tenant moved out of the rental unit before the application was filed so there is no need for an order for possession.

### Issue(s) to be Decided

Is the landlord entitled to a monetary award for unpaid rent?

### Background and Evidence

The landlord sent the application for dispute resolution and Notice of hearing to the address of the rental unit on July 2, 2014, but, according to the landlord the tenant moved out of the rental unit before June 15, 2014.

### Analysis

Section 89 (1) of the *Residential Tenancy Act* requires that a tenant be served with an application for dispute resolution by sending it to the address where the tenant resides. When the application was mailed to the tenant he no longer resided at the rental unit

Conclusion

In the absence of proof that the tenant has been served in accordance with the *Residential Tenancy Act*, this application is dismissed with leave to reapply. The landlord may have to make enquiries to establish the whereabouts of the tenant, and if necessary may consider whether an application for an order for substituted service is appropriate.

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: August 21, 2014

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Residential Tenancy Branch

