



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Sutton Group Medallion Realty
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, MND, FF

This hearing was scheduled to deal with an application by the landlord for a monetary order for damage to the unit; money owed or compensation for damage or loss under the Act, Regulation, or tenancy agreement; and to recover the RTB filing fee.

The landlord attended the teleconference hearing, however the tenants did not attend. The landlord gave evidence that she served the tenants with the Notice of Dispute Resolution and Landlord's Application for Dispute Resolution by registered mail on May 28, 2014 to the rental unit address. The landlord's evidence is that the tenants moved out of the rental unit on May 3, 2014 however the landlord hoped the tenants might have arranged to have their mail forwarded.

I find that the tenants were not properly served pursuant to Section 89, which requires that any registered mail be sent to either the tenants' residence or a forwarding address provided by the tenants. Since the tenants were not properly served, the landlord's application is dismissed with leave to reapply.

Conclusion

The landlord's application is dismissed 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: September 04, 2014

Residential Tenancy Branch

