



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD

Introduction

A representative of landlord failed to contact the telephone bridge number at the appointed time for the hearing. The applicant was present and ready to proceed. I waited 10 minutes after the appointed time for the hearing and then proceeded with the hearing.

The applicant testified that her mother served the Application for Dispute Resolution/Notice of Hearing and the Amended Application for Dispute Resolution/Notice of Hearing by leaving a copy of the documents with the landlord. Her mother was not present to give evidence. She did not provide an affidavit for service or any other evidence as to who she gave the documents to.

The Residential Tenancy Act provides that where a party is seeking a monetary order it must be served either by personal service or by registered mail to where the respondent carries on business or resides. The applicant has the burden of proof.

I determined the tenant has failed to prove that she has sufficiently served the landlord in accordance with the Residential Tenancy Act.

Accordingly, **I order the application dismissed with liberty to reapply.** I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period.

Dated: September 09, 2014

Residential Tenancy Branch

