



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDC, FF

Introduction

This is the Tenants' application compensation for damage or loss under the Act, regulation or tenancy agreement; and to recover the cost of the filing fee from the Landlords.

The Tenants gave affirmed testimony at the Hearing. The Landlords did not sign into the Hearing, which remained open for 20 minutes.

Preliminary Matters

The Tenants testified that they mailed the Notice of Hearing documents, by registered mail, to the Landlords on June 02, 2014, to an address that they found by performing a "reverse look-up" on a phone number they had for the Landlords. The Tenants provided the registered mail tracking number.

A search of the Canada Post Tracking system indicates that the registered documents were delivered on June 3, 2014, and that delivery was signed for by a person other than the Landlords.

I find that the Tenants provided insufficient evidence that the Notice of Hearing documents were mailed to the Landlords as provided for in Section 89 of the Act, and that there is insufficient evidence that the Landlords were sufficiently served in accordance with the provisions of Section 71 of the Act.

Therefore, the Tenants' application is dismissed with leave to reapply.

Conclusion

The Tenants' 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: October 20, 2014

Residential Tenancy Branch

