



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, OPB, MNR

This hearing dealt with an application by the landlord for an order of possession and a monetary order. At the hearing, the landlord advised that she had served the tenants with the application for dispute resolution and notice of hearing (the “Hearing Documents”) via registered mail sent to the rental unit on September 5, 2014. She testified that the tenants vacated the rental unit on September 5, 2014.

Section 89 of the Act provides that Hearing Documents may be served on tenants by registered mail to either the address at which the tenants reside or the forwarding address provided by the tenants. In this case, the tenants did not reside at the address to which the landlord sent the registered letters at the time the letters would have arrived at the rental unit.

I find that the landlord has not properly served the tenants with the Hearing Documents in accordance with the Act and I dismiss the landlord’s claim 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 27, 2014

Residential Tenancy Branch

