



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes                      MNDC, FF

### Introduction

This hearing was scheduled to deal with a tenant's application for a Monetary Order for damage or loss under the Act, regulations or tenancy agreement. The landlord did not appear at the hearing. The tenant testified that he sent the hearing package to the landlord via registered mail. The tenant had not provided a copy of the registered mail receipt prior to the hearing and I asked him to provide the tracking number orally during the hearing. The tenant stated he could not find the registered mail receipt. I gave him 14 minutes to locate it during which time he could not.

Residential Tenancy Policy Guideline 12: *Service Provisions* provides information on service requirements. It provides that where the respondent does not appear at a hearing, the applicant must be prepared to prove service. Proof of service by registered mail should include the original receipt given by the post office and should include the date of service, the address of service, and that the address of service was the person's residence at the time of service, or the landlord's place of conducting business as a landlord at the time of service. Failure to prove service may result in the matter being dismissed, or dismissed with leave to reapply.

If a registered mail receipt is not provided prior to the hearing, the applicant should, at a minimum, orally provide the registered mail tracking number during the hearing

In the absence of a copy of the registered mail receipt or a tracking number I found the tenant did not meet his burden to prove the landlord had been served with the hearing documents. Therefore, I dismissed this Application for Dispute Resolution 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: November 27, 2014

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Residential Tenancy Branch

