



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

**Dispute Codes:** MNR, MNSD, MNDC, FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord, filed on July 7, 2014 in which the applicant was seeking a monetary order against the tenant for rent, damages and loss. Only the applicant landlord appeared.

### Preliminary Matter

The landlord testified that they served the tenant with the Notice of hearing by registered mail. No proof of service was submitted into evidence and the landlord was not able to provide the parcel tracking number from Canada Post.

Section 89(c) of the Act states that an application for dispute resolution can be served by sending a copy by registered mail to the address at which the person resides.

I find insufficient evidence to prove when and how the respondent had been served.

Based on the above, I find that this matter cannot proceed due to insufficient proof that the tenant was properly served with the Notice of Hearing in accordance with the Act. Therefore I dismiss the landlord's application **with leave to reapply.**

### Conclusion

The landlord's application is dismissed with leave as the matter could not proceed due to insufficient proof that the respondent was properly served in accordance with the Act.

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 24, 2014

---

Residential Tenancy Branch

## Now that you have your decision...

**All decisions are binding and both landlord and tenant are required to comply.**

The RTB website ([www.gov.bc.ca/landlordtenant](http://www.gov.bc.ca/landlordtenant)) has information about:

- How and when to enforce an order of possession:  
Visit: [www.gov.bc.ca/landlordtenant/orders](http://www.gov.bc.ca/landlordtenant/orders)
- How and when to enforce a monetary order:  
Visit: [www.gov.bc.ca/landlordtenant/orders](http://www.gov.bc.ca/landlordtenant/orders)
- How and when to have a decision or order corrected:  
Visit the section called "Review, Clarify or Correct a Decision" on [www.gov.bc.ca/landlordtenant](http://www.gov.bc.ca/landlordtenant)
- How and when to have a decision or order clarified:  
Visit the section called "Review, Clarify or Correct a Decision" on [www.gov.bc.ca/landlordtenant](http://www.gov.bc.ca/landlordtenant)
- How and when to apply for the review of a decision:  
Visit the section called "Review, Clarify or Correct a Decision" on [www.gov.bc.ca/landlordtenant](http://www.gov.bc.ca/landlordtenant) **Please Note: Legislated deadlines apply**

To personally speak with Residential Tenancy Branch (RTB) staff or listen to our 24 Hour Recorded Information Line, please call:

- Toll-free: 1-800-665-8779
- Lower Mainland: 604-660-1020
- Victoria: 250-387-1602

Contact any Service BC Centre or visit the RTB office nearest you. For current information on locations and office hours, visit the RTB web site at [www.gov.bc.ca/landlordtenant](http://www.gov.bc.ca/landlordtenant)