



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

MNR, FF

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested compensation for unpaid rent. The application included reference to a Notice ending tenancy that was posted to the door on October 3, 2014.

Counsel stated that the tenant was served with copies of the Application for Dispute Resolution and Notice of Hearing via registered mail sent to the rental unit address on February 12, 2015. A copy of the Canada post receipt and tracking number was provided as evidence.

The landlord submitted an affidavit affirming he was at the rental unit when the Notice was posted on October 3, 2014. The landlord returned to the unit on some undisclosed date and saw that the Notice had been removed from the door. There was no evidence before me establishing whether the tenant vacated by the effective date of the Notice; which by my calculation would have been October 16, 2014.

In the absence of any evidence that the tenant continues to reside in the rental unit almost 5 months after the Notice was given, I find that service is not proven.

Therefore, I find that service to the tenant has not been proven. The application is dismissed with leave to reapply within the legislated time-frame.

This decision is final and binding and 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: March 04, 2015

Residential Tenancy Branch

