



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Gateway Property M.C.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, FF

This matter was set for a conference call hearing at 11:00 a.m. on this date. The landlord participated in the hearing, the tenant did not. The landlord stated that he served the tenant the Notice of Hearing Documents by way of registered mail on March 3, 2015 to the subject unit however; the landlord stated that he changed the locks to the unit on January 15, 2015 and took possession of it at that time.

As the tenant has not had access to the unit since January 15, 2015 it would be highly unlikely that he would be served of the hearing documents on March 3, 2015 or have any knowledge of such. In addition, the landlord did not submit any documentary evidence of the registered mail for consideration. The landlord was unable to satisfy me that the tenant had been served the Notice of Hearing Documents in accordance with Section 89 of the Act and as a result, I dismiss the landlord's application with leave to reapply.

Leave to reapply is not an extension of any applicable limitation period.

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: April 02, 2015

Residential Tenancy Branch

