



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

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

Introduction / Background / Evidence

Following the landlord's application for dispute resolution which was filed on January 02, 2015, this hearing was scheduled to commence by way of telephone conference call at 1:30 p.m. on April 29, 2015. In her application the landlord seeks a monetary order as compensation for unpaid rent / compensation for damage to the unit, site or property / compensation for damage or loss under the Act, Regulation or tenancy agreement / retention of the security deposit / and recovery of the filing fee. The landlord and "EY," a person translating for her, attended the hearing. The tenant did not appear.

Further to applying for dispute resolution, the landlord made application for substituted service. In the result, a Substituted Service Order (the "Order") was issued by date of January 05, 2015. The Order provides that the landlord may serve the tenant with the hearing package by way of e-mail, "and such service shall be deemed effective service on the Respondent on the 7th day the applicant has received confirmation that the e-mail and attached documents have been delivered to the respondent's e-mail address."

While certain documentary evidence in support of her application has been submitted by the landlord, it does not include any proof that the landlord "has received confirmation that the e-mail and attached documents have been delivered to the respondent's e-mail address," as required by the above order. Accordingly, I find that the landlord's application must be dismissed 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: April 29, 2015

Residential Tenancy Branch

