



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested an Order of possession for unpaid rent, a monetary Order for unpaid rent and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

The landlord provided affirmed testimony that the tenant vacated the rental unit on April 13, 2015 as the result of a 10 day Notice to end tenancy for unpaid rent issued. The Notice had an effective date of April 8, 2015

The landlord served the tenant with Notice of the hearing by sending the documents to the rental unit via registered mail on April 13, 2015. The landlord used a postal box address that has always been used by the tenant, who lives in a small rural community. The tenant did not provide a forwarding address. The landlord is assuming the tenant has retained her postal box.

The registered mail was returned to the landlord, marked by Canada Post as unclaimed.

Section 89 (c) and (d) of the Act allows service of documents:

*(c) by sending a copy by registered mail to the address at which the person resides or, if the person is a landlord, to the address at which the person **carries on business as a landlord**;*

(d) if the person is a tenant, by sending a copy by registered mail to a forwarding address provided by the tenant;

The tenant did not provide a forwarding address and the landlord could not confirm that the postal box number continues to be the mailing address for the tenant.

Therefore, I determined that service could not be proven. The application is dismissed with leave to reapply within the legislated time limit.

This decision is final and binding on the parties, unless otherwise provided under the Act, 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: May 20, 2015

Residential Tenancy Branch

