



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

Introduction

This hearing dealt with an application by the tenants for a monetary order. The tenants were represented at the hearing by the tenant LL but the landlord did not participate in the hearing.

Issue to be Decided

Was the landlord properly served with notice of the dispute?

Background and Evidence

The tenant testified that his friend served the landlord with the application for dispute resolution and notice of hearing by leaving the package in the landlord's office.

Analysis

The respondent has the right to know the claim against him and the time and date of the hearing so he can choose whether he would like to attend the hearing and tell his side of the story. Section 89 of the Act provides that for a monetary claim, a landlord must either be served with the application for dispute resolution and notice of hearing via registered mail or in person. I found that leaving the package in the landlord's office was not sufficient service and I declined to proceed with the hearing as I was not satisfied that the landlord had notice of the claim against him.

Conclusion

The claim is 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: June 17, 2015

Residential Tenancy Branch

