



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR, MNDC & FF

### Introduction

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

The landlord testified that she attempted to serve the tenant with a copy of the Application for Dispute Resolution/Notice of Hearing by mailing, by registered mail to a forwarding address provided by the tenant when he took possession of the rental unit at the end of September 2014. However, she was not able to produce the registered mail receipt. The landlord was given to noon on September 9, 2015 to produce the receipt. She contacted the Branch and advised that she was not able to find it.

Policy Guideline #12 includes the following:

“Proof of service by registered mail should include the original receipt given by the post office and should include the date of service, the address of service, and that the address of service was the person's residence at the time of service, or the landlord's place of conducting business as a landlord at the time of service.

Failure to prove service may result in the matter being dismissed, or dismissed with leave to reapply. Adjournments to prove service are given only in unusual circumstances.”

In the circumstances I determined the landlord has failed to prove sufficient service. As a result I ordered that the Application be dismissed with liberty to re-apply. I make no findings on the merits of the matter. Liberty 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: June 09, 2015

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Residential Tenancy Branch

