



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MND, MNDC, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order for unpaid rent, unpaid utilities, the cost of cleaning and repairs and for the filing fee.

The landlord stated that the tenant moved out without informing the landlord. The landlord found out from the building concierge that the tenant had vacated the rental unit on or about March 15, 2015. The tenant did not provide a forwarding address to the landlord.

The landlord served the tenant with a notice of hearing package, by registered mail on April 13, 2015 to the tenant's place of work as indicated in her application to rent the unit. The tenant did not attend the hearing.

Issue to be Decided

Was the tenant served with the notice of hearing pursuant to Section 88?

Analysis

Section 88 and section 89 of the *Residential Tenancy Act* address how to give or serve documents.

The purpose of serving a notice of hearing under the Legislation is to notify the person being served of matters relating to arbitration. The tenant is entitled to have an opportunity to be heard at the hearing.

Based on the testimony of the landlord, I am not satisfied that the notice of hearing was served in accordance with sections 88 and 89 of the *Act*.

Conclusion

The landlord's application 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: September 15, 2015

Residential Tenancy Branch