



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes            OPR, MNR, MDSD & FF

The respondents failed to contact the telephone bridge number at the appointed time for the hearing. The applicant was present and ready to proceed. I waited 10 minutes after the appointed time for the hearing and then proceeded with the hearing in the absence of the respondents..

The applicant testified that the landlord attempted to serve the Application for Dispute Resolution/Notice of Hearing and the Amended Application for Dispute Resolution/Notice of Hearing by mailing a copy of the Application for Dispute Resolution by registered mail to the dispute address on August 26, 2015. The registered mail receipts were not submitted as evidence. The representative of the landlord did not send out the mail. Both sets of documents were returned unclaimed. The applicant testified the last time she saw the respondents was on August 20, 2015. The applicant testified she was not aware of the date on which the landlord regained possession. The Residential Tenancy Act provides that where a party is seeking a monetary order it must be served either by personal service or by registered mail to where the respondent **resides** (my emphasis) or if the respondent is a tenant by registered mail to the respondent's forwarding address. I determined the landlord failed to prove that she has sufficiently served the tenants in accordance with the Residential Tenancy Act as there is insufficient evidence that the respondents were living in the rental unit when the registered mail was sent.

Accordingly, **I order the application dismissed with liberty to reapply**. I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period.

Dated: October 09, 2015

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Residential Tenancy Branch

