



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNR, MNDC, MNSD, FF

Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order to cancel a 10 day Notice to End Tenancy dated March 2, 2016.
- b. A monetary order in the sum of \$2952.
- c. An order to recover the cost of the filing fee.

The respondent failed to contact the telephone bridge number at the appointed time for the hearing. The applicants were present and ready to proceed. I waited 10 minutes after the appointed time and the respondent failed to appear.

The applicant testified that he served the Application for Dispute Resolution/Notice of Hearing by leaving a copy of the document in the mailbox of the respondent.

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 or if the respondent is a tenant by registered mail to the respondent's forwarding address.

I determined the landlord has failed to prove that he has sufficiently served the tenant in accordance with the Residential Tenancy Act.

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.

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: April 19, 2016

Residential Tenancy Branch

