



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the Act) for:

- an order of possession for cause pursuant to section 55;
- a monetary order for unpaid rent, for damage to the rental unit, and for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to recover his filing fee for this application from the tenant pursuant to section 72.

The landlord attended the hearing via conference call and provided undisputed affirmed testimony. The tenant did not attend or submit any documentary evidence. The landlord submitted a copy of the 10 Day Notice to End Tenancy dated April 23, 2016. The landlord provided testimony that he sent the notice of hearing package and the submitted documentary evidence to the tenant via Canada Post Registered Mail on May 6, 2016. The landlord stated that he served the package to the tenant by slipping it under the tenant's door. The landlord clarified that he shares a mailbox with the tenant and when the Canada Post delivered the Registered Mail Package, the landlord signed in receipt of the package and placed it under the tenant's door.

On the basis of this evidence, I am not satisfied that the tenant was properly served with the dispute resolution package pursuant to sections 89 of the Act and cannot be deemed served as per section 90 of the Act. The landlord's application is dismissed with leave to reapply. Leave 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 02, 2016

Residential Tenancy Branch