



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Noble & Associates Property Management  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNR, MNDC, MNSD, FF

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67;
2. A Monetary Order for compensation for loss – Section 67;
3. An Order to retain the security deposit - Section 38; and
4. An Order to recover the filing fee for this application - Section 72.

The Tenant did not appear at the hearing. The Landlord states that the application for dispute resolution and notice of hearing was sent to the address provided by the Tenant in its application for tenancy. The Landlord states that it is unknown whether the Tenant still resides there as the Tenant was planning on moving from there on January 1, 2016. The Landlord has an email address for the Tenant but has not taken any steps to confirm the Tenant’s residential address.

Section 89 of the Act provides that a landlord must serve an application for dispute resolution to a tenant

- by leaving a copy with the tenant;
- by sending a copy by registered mail to the address at which the tenant resides;
- by sending a copy by registered mail to a forwarding address provided by the tenant; or
- as otherwise ordered by the director.

As the Landlord has provided no evidence of the Tenant's residential address and no basis upon which to reasonably believe that the prior address continues to be the Tenant's current residential address, I find that the Landlord has not provided evidence that the Tenant was served as required by the Act. I therefore dismiss the application 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: October 27, 2016

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Residential Tenancy Branch