



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDC, MNSD, FF

Introduction

This hearing was scheduled in response to the tenants' Application for Dispute Resolution, in which the tenant has requested compensation for damage or loss under the Act and to recover the filing fee from the landlord for the cost of this Application for Dispute Resolution.

The tenant provided affirmed testimony that on March 16, 2016 the landlord was served copies of the Application for Dispute Resolution and Notice of Hearing via registered mail. The tenant used the landlords' employment address for service. The tenant did not have the landlords' residential address. The tenant called the place of employment, a car dealership, and asked the secretary of the mail had been received. The tenant said he was told that the mail was placed in the landlord's mail slot.

The tenant did not have a sworn statement from the person who signed accepting the registered mail and did not have that person available to testify that service was completed to the landlord. The tenant did not know the name of the person who signed accepting the mail.

Therefore, in the absence of evidence sufficient to prove that the landlord received the hearing documents I find that service has not been completed. The application is dismissed with leave to reapply within the legislated time limit.

Conclusion

The application is dismissed with leave to reapply within the legislated time limit.

This decision is final and binding and 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 26, 2016

Residential Tenancy Branch

