



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Pinnacle International
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

MR, MNSD, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested compensation for unpaid rent, to retain the security deposit and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

The agent for the landlord provided affirmed testimony that on October 120, 2016 copies of the Application for Dispute Resolution and Notice of Hearing were sent to the tenant by registered mail. A Canada Post tracking number was provided as evidence of service.

The landlord, when asked, confirmed that the tenant vacated the rental unit on the effective date of a 10 day Notice ending tenancy for unpaid rent served to the tenant. The tenant has yet to provide a written forwarding address. The registered mail was delivered to the tenant at the rental unit address. The mail was returned to the landlord.

On October 26, 2016 the landlord served an amended application, by registered mail, to the rental unit address. The landlord said that mail was not returned but there was no evidence the tenant had signed accepting that mail.

As the landlord has served the tenant to an address where the tenant no longer resides I find that the hearing documents have not been served in accordance with section 89 and 90 of the Act.

Therefore, I find that 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: December 06, 2016

Residential Tenancy Branch

