



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNR, MNSD, FF

Introduction

This was a hearing with respect to the landlord's application for a monetary order and an order to retain the security deposit. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenant did not attend. The landlord testified that the tenant was served with the application and Notice of Hearing by registered mail to an address provided by the tenant. The address given by the tenant was not the address where he resides. The landlord testified that his agent brought documents and evidence to the Residential Tenancy Branch sometime after the application was filed. The documents were not on the file; they could not be located and there was no record of delivery. The landlord provided the Canada Post registered mail tracking number at the hearing. According to the records from Canada Post the tenant could not be located at the address provided and the registered mail was returned to the landlord.

In the absence of proof that the registered mail was sent to an address where the tenant resides and in the absence of documents to support the claims in this application the application is dismissed with leave to reapply. If the landlord knows of a means whereby the tenant can be notified of a new application, he may seek an order for substituted service when he reapplies.

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: January 23, 2017

Residential Tenancy Branch