



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes: **\_MNR, MND, 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, damage to the rental unit, to retain the security deposit and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution. The landlord was affirmed.

The landlord provided a Canada Post receipt and tracking number as evidence of service to the tenant. The mail was sent to an address provided by the tenant at the start of the tenancy. The landlord said the address was for the tenants' parents.

The online tracking information was checked during the hearing. The mail was sent on July 26, 2016 and received on July 29, 2016. The landlord believes that the person who signed accepting the mail is one of the tenants' parents.

The tenants' mother called the landlord and was told the tenant had not paid rent. The tenants' mother did not indicate that she had served the tenant with the hearing documents.

When making a monetary claim an applicant must serve documents in accordance with section 89 of the Act. Service to the tenant via registered mail where the tenant resides or personal delivery are acceptable methods of service. A party may also apply requesting substitute service. There was no evidence that the tenant is residing at the address used for service or that a family member served the tenant. The tenant did not attend the hearing.

Therefore, I find that service is not proven and that 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: January 26, 2017

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Residential Tenancy Branch

