



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: OPC FF

### **Introduction:**

Only the landlord attended and gave sworn testimony. The Notice to End Tenancy is dated March 13, 2017 to be effective April 30, 2017 and the landlord said she served it by mail. She said the Application for Dispute Resolution was served by posting it on the door. I find the Application was not legally served pursuant to section 89 of the Act for the purposes of this hearing. The landlord applies pursuant to the *Residential Tenancy Act* (the Act) for orders as follows:

- a) To obtain an Order of Possession for cause pursuant to section 47; and
- b) To recover the filing fee for this application.

### **Analysis and Conclusion:**

Section 89 of the Act provides an Application for Dispute Resolution must be served personally or by registered mail. I find posting is not a valid method of service for the Application. Therefore I dismiss this Application without recovery of the filing fee. The landlord said the tenants may have vacated already so maybe it is no longer an issue. I give the landlord leave to reapply if necessary.

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: May 03, 2017

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Residential Tenancy Branch