



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding REMI REALTY INC
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, FF

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- a monetary order for compensation for damage to the unit, site or property pursuant to section 67; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

The tenant did not attend this hearing, which lasted approximately 10 minutes. The corporate landlord was represented by its agent, WC (the "landlord") who confirmed he was authorized to represent the landlord, and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. .

Analysis Preliminary Issue – Service of Landlord's Application

The landlord testified that the landlords' application for dispute resolution dated February 15, 2017 was served on the tenant by registered mail. Initially, the landlord testified that the tenant had not provided a forwarding address and he was uncertain how the application had been served. The landlord did not submit a copy of a Canada Post tracking number into written evidence but orally provided a seven digit number which he claimed was the tracking number. When the tracking number provided by the landlord is entered into the Canada Post website the site says that the tracking number is invalid.

Based on the evidence provided by the landlord, I am not satisfied that the tenant was properly served with the landlord's application for dispute resolution in accordance with the *Act*. Consequently, I dismiss the landlord's application with leave to reapply.

Conclusion

The landlord's claim is dismissed with leave to reapply.

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: June 22, 2017

Residential Tenancy Branch