



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, FF

Introduction

The landlord applies for a monetary award for unpaid rent and loss of rental income.

The tenant did not attend the hearing within ten minutes after its scheduled start time.

The landlord testifies that the tenant vacated the rental unit. He discovered that the tenant was working at a local restaurant. He sent his application and notice of hearing by registered mail to that restaurant. There is no evidence the tenant herself signed for the mail or that she was living at the restaurant.

Section 89 of the *Residential Tenancy Act* directs that an application of this nature must be served on the tenant either in person or by registered mail sent to an address at which the tenant resides. Registered mail to a place of work does not suffice.

The landlord was not able to prove lawful service of the application on the tenant and so his application is dismissed with leave to re-apply.

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: August 04, 2017

Residential Tenancy Branch