



## **Dispute Resolution Services**

Residential Tenancy Branch  
Office of Housing and Construction Standards

### **DECISION**

Dispute Codes MT, OPT, AAT

#### Introduction

This matter dealt with an application by the Tenant for more time to make the application, for an Order of Possession for the rental unit and for an Order to allow access to the rental unit.

The Tenant said she filed her application on September 21, 2017 and sent the Landlords the hearing package by registered mail on September 22, 2017. The Tenant said she did not keep the registered mail receipt or tracking information because she was stressed at the time she made the application.

As the Tenant does not have any supporting evidence to prove service of the Hearing documents by registered mail and neither of the Landlords appeared at the hearing; I find the Tenant has not proven service of the Hearing documents to the Landlord. As such it is unknown if the Landlords received the documents or if they knew the Hearing was taking place. Consequently, I dismiss the Tenant's application with leave to reapply due to lack of evidence with respect to the service of the Hearing documents as required by section 89 of the Act.

#### Conclusion

The Tenant's application 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: December 6, 2017

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**Residential Tenancy Branch**