



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNR, MNDC, FF

Introduction

This hearing dealt with an application by the Landlord for a monetary order for unpaid rent; a monetary order for damage to the unit; for compensation for damage or loss; and to recover the cost of the filing fee.

This matter was set for hearing by telephone conference call at 1:30 PM on this date. The Landlord attended the hearing; however, the Tenant did not.

The Landlord testified that the Notice of Hearing was sent to the Tenant using Canada Post Registered Mail on July 26, 2017. The Landlord testified that the Registered Mail was sent to the Tenant's place of work and was returned to the Landlord as not accepted.

I find that the Tenant did not receive the Notice of Hearing and Landlord's Application. In the circumstances, I find that it is not reasonable to deem that the Tenant received the documents because they were sent to his place of employment. I find that the deemed service provisions under section 90 of the Act do not apply.

Since I have found that the Tenant was not served with the Notice of Hearing and Application, the Landlord'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: January 18, 2018

Residential Tenancy Branch