



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCL, FFL

Introduction

This is an application by the landlord under the Residential Tenancy Act (the *Act*) for a Monetary Order pursuant to Section 67.

The landlord attended the hearing and was given a full opportunity to testify, present evidence, call witnesses and submit documents. No one called in for the tenant during the approximately 11-minute hearing. I confirmed with the teleconference system the landlord and I were the only ones who called in to the hearing.

Preliminary Issue

As the tenant was not present, service of the Notice of Hearing and the landlord's documents was addressed.

Section 59 of the Residential Tenancy Act (the *Act*) requires every applicant to provide the full particulars of their application to the other party. The Residential Tenancy Branch Rules of Procedure ensure a fair, efficient, and consistent process for resolving disputes.

The landlord stated the tenant had been served by registered mail. However, the landlord did not submit any receipt. The landlord could not provide the Canada Post tracking number.

The landlord could not establish the tenant had been served with the Notice of Hearing as required by Section 89 of the *Act*.

I therefore find the landlord's application is dismissed in its entirety with leave to reapply.

Conclusion

The landlord's application for Dispute Resolution is dismissed in its entirety 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 19, 2018

Residential Tenancy Branch