



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC MNR FF

This hearing dealt with the Landlord's Application for Dispute Resolution, made on November 28, 2017 (the "Application"). The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- a monetary order for money owed or compensation for damage or loss;
- a monetary order for unpaid rent or utilities; and
- an order granting recovery of the filing fee.

The Landlord attended the hearing at the appointed date and time, and provided affirmed testimony. The Tenants did not attend the hearing.

The Landlord testified the Application package was served on the Tenants by leaving a copy attached to their door. However, section 89 of the *Act* confirms these documents must be served on a tenant by leaving a copy with the person, sending a copy by registered mail to the address at which the person resides, or sending a copy by registered mail to a forwarding address provided by the tenant. The language in the *Act* is mandatory. I find the Tenants were not served with the Application package in accordance with the *Act*. Accordingly, I find that the Application is dismissed, with leave to reapply. This is not an extension of any statutory limitation period.

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: July 12, 2018

Residential Tenancy Branch



Residential Tenancy Branch

RTB-136