



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCL, MNDL-S, MNRL, FFL

### Introduction

This teleconference hearing was scheduled in response to an application by the Landlord under the *Residential Tenancy Act* (the “Act”) for monetary compensation, compensation for damages against the security deposit, compensation for unpaid rent and for the recovery of the filing fee paid for this application.

The Landlord, the Tenant and a co-tenant were present for the teleconference hearing. The parties were affirmed to be truthful in their testimony. The Tenants stated that they did not receive the Notice of Dispute Resolution Proceeding package and instead found out about the hearing through a reminder email from the Residential Tenancy Branch.

The Landlord confirmed that the Tenants had not been served due to not having a forwarding address for the Tenants. The Landlord had applied for a substituted service order to serve the Tenant at her place of employment, which was denied due to insufficient evidence to establish the Tenant’s workplace.

The Landlord asked the Tenants for an address and they stated that they would provide a service address by email once they confirmed an address to use. The Tenants confirmed their email address with the Landlord. As the Tenants were not served with the Notice of Dispute Resolution Proceeding package or the Landlord’s evidence, the hearing did not continue.

### Preliminary Matters

The Landlord requested an adjournment; however, I do not grant an adjournment in this matter. A party filing an Application for Dispute Resolution must first establish that they

have the required information to serve documents in accordance with Sections 88 and 89 of the *Act* before it can be determined that a dispute resolution proceeding can continue. Therefore, the Landlord's Application is dismissed, with leave to reapply.

Conclusion

Due to a service issue, the Application for Dispute Resolution 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 16, 2019

---

Residential Tenancy Branch