



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDC FF

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A participatory hearing was held on February 8, 2019. The Tenant applied for compensation pursuant to section 51 of the *Residential Tenancy Act* (the "*Act*").

The Tenant attended the hearing. The previous Landlord was present at the hearing. However, the current Landlord, and named party on this application was not present. The Tenant stated that she sent the new Landlord, G.R., the Notice of Hearing by registered mail. However, he did not pick it up. During the hearing, I asked the Tenant how she knew that this was the Landlord's mailing address and she explained that she saw him come and go from that house but noted that she never actually received any confirmation or correspondence indicating this was his address. Although the Tenant believes the Landlord lives at this particular address, she was unable to provide any supporting documentation to show how she would know, with any degree of certainty, that G.R. lives at the address she sent the Notice of Hearing to. During the hearing, I explained that the Tenant would need more evidence to substantiate that she knows this is the Landlord's active mailing address.

I am not satisfied that the Tenant sufficiently served the current Landlord and owner with the Notice of Hearing.

As the Notice of Hearing has not been sufficiently served for the purposes of this *Act*, I dismiss the Tenant's application in full, with leave to reapply.

Conclusion

I dismiss the Tenant's application in full, 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: February 08, 2019

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Residential Tenancy Branch