



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDCT, FFT

### Introduction and Analysis

This hearing dealt with the tenant's Application for Dispute Resolution under the Residential Tenancy Act (the "Act") for a monetary order for damage or loss and for recovery of the filing fee.

The tenant attended the hearing. As the landlords did not attend the hearing, service of the Notice of a Dispute Resolution Hearing (the "Notice of Hearing") was considered. The tenant testified that the Notice was served to the landlords via registered mail. The tenant stated that she did not have the tracking number for the registered mail packages. The tenant additionally did not submit any documentary evidence to support that the landlords were served by registered mail. The tenant was unable to confirm if the registered mail packages were tracked online to determine if they were successfully delivered to the landlords.

Both parties have the right to a fair hearing. The landlords would not be aware of the hearing without having received the Notice of Hearing. Without tracking numbers or some other documentary evidence, I am not satisfied that the landlords have been served with the Notice of Hearing as required under the Act. Therefore, **I dismiss** the tenant's application **with leave to reapply** due to insufficient evidence of service on the landlords. I note this decision does not extend any applicable time limits under the Act.

I do not grant the filing fee as a result of the service issue.

### Conclusion

The tenant's application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the Act.

I do not grant the filing fee due to the service issue.

The decision will be emailed to the tenant at the email address provided in her application. The respondents will be sent the decision by regular mail as the application did not contain an email address for the respondents.

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: May 14, 2019

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Residential Tenancy Branch