



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding BRITISH COLUMBIA HOUSING MANAGEMENT  
COMMISSION and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDL, MNRL, FFL

### Introduction

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

An agent for the Landlord (the “Landlord”) was present for the teleconference hearing, while no one called in for the Tenant. The Landlord was affirmed to be truthful in her testimony and stated that the Tenant was served with the Notice of Dispute Resolution Proceeding package by registered mail. The Landlord submitted a copy of the registered mail information which shows that it was sent on May 30, 2019 and returned to the Landlord on June 5, 2019 as the recipient was not at the address the package was sent to. The Landlord also submitted a photo of the envelope which shows that it was returned as the recipient had moved.

The Landlord stated that they received the Tenant’s new address through the ministry on March 19, 2019. However, as the registered mail information indicates that the Tenant is no longer at that address, I find that the Tenant was not served with the notice of hearing documents as required and cannot be deemed served if not residing at the address the package was sent to.

As such, I find that the hearing could not continue as the Tenant was not served in accordance with the *Act*. Therefore, the Application for Dispute Resolution is dismissed, with leave to reapply.

Conclusion

Due to a service issue, the Application for Dispute Resolution is dismissed, with leave to reapply. No findings of fact or law were made regarding this dispute.

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: September 03, 2019

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Residential Tenancy Branch