



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding FOUR GREEN PROPERTIES  
INC. and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDL-S, MNDCL-S, MNRL-S, FFL

### Introduction and preliminary matters

On July 4, 2019, the Landlord made an Application for Dispute Resolution seeking a Monetary Order for compensation pursuant to Section 67 of the *Residential Tenancy Act* (the “Act”), seeking to apply the security deposit towards these debts pursuant to Section 67 of the *Act*, and seeking to recover the filing fee pursuant to Section 72 of the *Act*.

R.L. attended the hearing as an agent for the Landlord; however, the Tenants did not make an appearance during the 24-minute hearing. All in attendance provided a solemn affirmation.

He advised that the Tenants did not provide a forwarding address in writing, but he found a service address for them. He stated that he served a Notice of Hearing and evidence package to each Tenant by registered mail on July 12, 2019 (the registered mail tracking numbers are on the first page of this decision) and he submitted a copy of the registered mail tracking history. When reviewing this tracking history, it is apparent that the packages were signed for on July 15, 2019. However, the person that signed for the package shared a similar last name as Tenant C.V. but an entirely different first initial. He did not provide any evidence to establish how he knew that either of the Tenants lived at this address. As I am not satisfied that the Tenants live at this address or could receive mail at this address, and as it is evident that neither Tenant signed for these packages, I find that the Tenants have not been appropriately served the Notice of Hearing and evidence package. Consequently, I dismiss the Landlord’s Application with leave to reapply.

As the Landlord was unsuccessful in this Application, I find that the Landlord is not entitled to recover the \$100.00 filing fee paid for this Application.

Conclusion

The Landlord's Application with respect to monetary compensation 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: October 28, 2019

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Residential Tenancy Branch