



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding KI-LOW-NA FRIENDSHIP SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, FF

Introduction

The landlord applies for an order of possession and for a monetary award for unpaid rent of \$790.00 due August 1, 2019.

This matter is an adjourned Direct Request application that has been directed to hearing.

The respondent tenant did not attend the hearing within ten minutes after its scheduled start time at 9:30 a.m. on October 21, 2019. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the landlord's representative Ms. W. and this arbitrator were the only ones who had called into this teleconference during that period.

Ms. W. showed that the tenant had been served with Notice of this hearing by registered mail (tracking number shown on cover page of this decision). Canada Post records show the mail was sent on August 28 and went "unclaimed by recipient."

On this evidence I find the tenant has been duly served. A party cannot avoid this process by declining to retrieve his mail.

Ms. W. reports the landlord regained possession of the rental unit on about September 6 and so an order of possession is no longer required.

On Ms. W.'s undisputed testimony I award the landlord \$790.00 for unpaid August rent. I award the landlord \$100.00 for the filing fee paid for this application. I authorize the

landlord to retain the \$385.00 security deposit it holds in reduction of the amount awarded and I grant the landlord a monetary order against the tenant for the remainder of \$505.00.

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 21, 2019

Residential Tenancy Branch