



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67.

The tenants attended the hearing via conference call and provided undisputed testimony. The landlords did not attend or submit any documentary evidence. The tenants stated that the landlords were each served with the notice of hearing package and the submitted documentary evidence via Canada Post Registered Mail on July 11, 2019, but that one of the packages was returned as "unclaimed". The tenants stated that the returned package was opened and then returned to them in a new envelope with "unclaimed" written on it. The tenants provided in their direct testimony the Canada Post Customer Receipt Tracking numbers as confirmation as well as a photograph of the Customer Receipt and Tracking labels. The landlords clarified that they were not sure if the packages were delivered by Canada Post. A review of the Canada Post online search website revealed that the tenants' packages were both "not deliverable". Discussions on the service by Canada Post website and the tracking information found that neither of the packages were labelled with the proper mailing address which led to the items being undeliverable. During the hearing the tenants confirmed that the complete mailing address provided for the landlords was incomplete and has provided the complete address for clarification. On this basis, I find that the tenants' application is dismissed with leave to reapply for lack of service upon the landlords.

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 11, 2019

Residential Tenancy Branch