



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCL-S, MNRL-S, FFL

Introduction

This hearing was scheduled to convene at 1:30 p.m. this date by way of conference call concerning an application made by the landlord seeking a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act*, regulation or tenancy agreement; a monetary order for unpaid rent or utilities; an order permitting the landlord to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenants for the cost of the application.

The landlord was represented at the hearing by 2 agents, however the line remained open while the telephone system was monitored for more than 10 minutes and no one for the tenants joined the call.

One of the landlord's agents advised that the tenants were served with the Notice of Dispute Resolution and other required documents by registered mail on September 17, 2020 and has provided a copy of the back-side of a Registered Domestic Customer Receipt bearing that date as well as a Canada Post cash register receipt also bearing that date. The Canada Post cash register receipt also shows only 1 tracking number, and the landlord's agent advised that the tenants are husband and wife and reside together, and the Hearing Package was sent to both tenants in the same envelope.

The *Residential Tenancy Act* requires that regardless of what address respondents are served at or regardless of whether or not the respondents reside together, the applicant, when applying for monetary compensation, must serve all respondents. Since the landlord has not done so, I dismiss the landlord's application with leave to reapply.

I have made no findings of fact or law with respect to the merits of the application.

Conclusion

For the reasons set out above, the landlord's application is hereby 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: December 29, 2020

Residential Tenancy Branch