



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Cantury 21 Queenswood and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNRL, FFL

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67; and
2. An Order to recover the filing fee for this application - Section 72.

The Tenants did not attend the hearing. The Landlord states that it served the Tenant by email as allowed in a Decision dated November 10, 2020 (the “Decision”). The Landlord states that no reply was received and confirms that it did not provide a copy of this email.

Section 89(1)(e) of the Act provides that an application for dispute resolution must be given in as ordered by the director under section 71 (1) [*director's orders: delivery and service of documents*].

The Decision sets out the following:

I order the landlord to provide proof of service of the e-mail which may include a printout of the sent item, a confirmation of delivery receipt, or other documentation to confirm the landlord has served the tenant in accordance with this order. If possible, the landlord should provide a read receipt confirming the e-mail was opened and viewed by the tenant.

As the Landlord did not provide proof of service of the email, I find that the Landlord has provided insufficient evidence to find that service as ordered was achieved and I dismiss the claim for unpaid rent with leave to reapply. I dismiss the claim for the filing fee.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: February 05, 2021

Residential Tenancy Branch