



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## Decision

Dispute Codes      MNRL-S, MNDL-S

### Introduction

On December 18, 2021, the Landlord submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) requesting a Monetary Order for unpaid rent and damages. The matter was set for a participatory hearing via conference call.

The Landlord attended the conference call hearing; however, the Tenants did not attend at any time during the 26-minute conference call. The Landlord testified that the Tenants did not provide a forwarding address and therefore, the Landlord was unable to serve the Tenants the Notice of Dispute Resolution Proceeding package. As a result, I find that the Tenants have not been duly served with the Notice of Dispute Resolution Proceedings, in accordance with Section 89 the Act.

I am, therefore, unable to hear the Landlord’s Application as I am not satisfied that the Tenants were properly served with the Notice of Dispute Resolution Proceeding. As a result, this Application is dismissed with leave to reapply.

### Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply; however, this does not extend any applicable time limits under the Legislation. I have not made any findings of fact or law with respect to the Application.

In the event that the parties decide to reapply for dispute resolution, they will be required to resubmit all written evidence, upon which they intend to rely, to each other again. They will also need to submit their evidence to the Residential Tenancy Branch's online portal again.

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 Tenancy Act*.

Dated: April 27, 2021

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Residential Tenancy Branch