



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ALSERGROVE ELKS  
and [tenant name suppressed to protect privacy]

## **DECISION**

### Dispute Codes:

MNETC

### Introduction

This hearing was convened in response to the Tenant's application for compensation related to being served with a Four Month Notice to End Tenancy.

### Issue(s) to be Decided

Is the Tenant entitled to compensation, pursuant to section 51(2) of the *Act*, because steps were not taken to accomplish the stated purpose for ending the tenancy under section 49 within a reasonable period after the effective date of the notice or the rental unit was not used for that stated purpose for at least 6 months beginning within a reasonable period after the effective date of the notice?

### Background and Evidence

The Tenant stated that on January 14, 2021 she served the Landlord with this Dispute Resolution Package by mailing it, via registered mail, to the service address for the Landlord on the Application for Dispute Resolution.

The Tenant stated that she did not submit documentation from Canada Post to corroborate her statement that documents were served by registered mail. She stated that she no longer has the Canada Post receipt so she is unable to cite a tracking number for the package she mailed on that date.

The Tenant stated that the package she mailed was returned to her by Canada Post with information that declared the package was being returned because there is no such

address. She stated that she contacted city hall, who informed her that no such address is registered with that community.

### Analysis

On the basis of the information provided by the Tenant, I find that she has been unable to serve the Landlord, via registered mail, because Canada Post has determined the hearing documents cannot be served to the mailing address provided by the Tenant.

As the Tenant has failed to establish that the Dispute Resolution Package was served by registered mail or by any other means permitted by section 89 of the *Residential Tenancy Act (Act)*, I find I am unable to proceed with the hearing in the absence of the Landlord.

The Application for Dispute Resolution is, therefore, dismissed with leave to reapply.

### Conclusion

The Application for Dispute Resolution is 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: May 04, 2021

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Residential Tenancy Branch