



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNETC, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants for compensation from the landlord related to a Notice to End Tenancy for Landlord's Use of Property.

Only the tenants appeared. As the landlord did not attend the hearing, service of the Notice of Dispute Resolution Hearing was considered.

The Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing, in accordance with section 89 of the Act.

In this case, the tenants sent their documents by express post, which did not require a signature of the landlord, the package was left in the mailbox. I find I cannot find the landlord was sufficiently served in accordance with the Act, as when a package is sent by registered mail a signature is required to ensure the right recipient receives it. Therefore, I dismiss the tenant's application due to insufficient service 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: March 15, 2022

Residential Tenancy Branch