



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      MNETC

### Introduction

Under section 58 of the Residential Tenancy Act (the “Act”), this hearing dealt with the tenant’s September 29, 2022, application to the Residential Tenancy Branch for compensation because the tenancy was ended as a result of a Two Month Notice to End Tenancy, and the landlord has not used the rental unit for the stated purpose under section 51 of the Act.

### Preliminary Issue – landlord not served with Notice of Dispute Resolution Proceeding

The tenant affirmed that the tenant served a Notice of Dispute Resolution Proceeding on the landlord via registered mail to the address of the previous rental unit, which was different to the address that the landlord had provided for service in the tenancy agreement.

According to Residential Tenancy Policy Guideline 12 (Service Provisions), the respondent’s address for service may be found on the tenancy agreement.

As the tenant had served the Notice of Dispute Resolution Proceeding to an address that is different to the address that the landlord had provided for service in the tenancy agreement, I find that the tenant did not validly serve the Notice of Dispute Resolution Proceeding on the landlord. Therefore, I am dismissing the tenant’s application 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: July 06, 2023

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Residential Tenancy Branch