



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNR, O, FF

This hearing was scheduled to hear the landlord's application for an Order of Possession and Monetary Order for unpaid rent. The tenant did not appear at the hearing. The landlord testified that he served the hearing documents upon the tenant via registered mail but did not provide the receipt as evidence. The landlord verbally provided a tracking number during the hearing; however, upon a search of the number I determined that the registered mail could not have included the hearing documents as the hearing documents had not been generated at the time of mailing.

Where a respondent does not appear at a hearing, it is upon the applicant to prove service of the hearing documents. Proof of service by registered mail should include the original receipts given by the post office, the date of mailing, the address of service and confirmation the address was the person's residence at the time of mailing.

In the absence of a registered mail receipt or tracking number I was unable to determine the tenant was sufficiently served with the hearing documents. Accordingly, I dismissed this 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: October 27, 2010.

Dispute Resolution Officer