



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Ascent Real Estate Management Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, FF

This is an application filed by the landlord for an order of possession and a monetary order for unpaid rent, for money owed or compensation for damage or loss and recovery of the filing fee.

This matter was set for a conference call hearing at 9:00a.m. on this date. The Landlord participated in the hearing, the Tenant did not. The Landlord was unable to satisfy me that the Tenant had been served the Notice of Hearing Documents in accordance with the Act. The landlord states that the tenant was served with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on May 6, 2014. The landlord provided the Canada Post Customer Receipt Tracking number in her direct testimony as confirmation. An online search of the Canada Post Website states that a signature was given for P. Susanne receiving the package on May 7, 2014. The landlord states that signature belongs to the owner. The landlord also clarified that the tenant has vacated the rental unit, but that the landlord is not aware of when the tenant vacated until the landlord's agent attended the rental unit and gave notice of entry on June 12, 2014.

As a result, I dismiss the Landlord's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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: June 19, 2014

Residential Tenancy Branch

