



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

The landlord applies for an order of possession and for a monetary award for unpaid rent. The tenant did not attend the hearing.

By the time of hearing the tenant vacated and so an order of possession is not required, leaving only the monetary claim.

The landlord testified that he served the tenant with the application and notice of hearing by giving it to the tenant's son, age about seventeen years, and the tenant's boyfriend, who, the landlord says, may or may not live there.

As discussed at hearing, this service is not in accordance with s. 89 of the *Residential Tenancy Act* which requires that a monetary application generally be served either in person or by registered mail to an address at which the tenant resides or to a written forwarding address provided by a tenant.

In these circumstances the monetary portion of the application must be dismissed, with leave to re-apply.

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 16, 2014

Residential Tenancy Branch

