



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

This matter was scheduled for a conference call at 1:30 p.m. on this date. The tenants participated in the teleconference, the landlords did not. The tenants gave testimony that the landlords lived in unit above theirs in Delta and that they served the landlords the Notice of Hearing Documents for this hearing to that address by way of registered mail. The tenants provided a tracking number for the registered mail. After reviewing the tracking information it became clear to me that the package was delivered to an address in Burnaby and not in Delta. The tenants were unable to satisfy me that the landlords had been served the Notice of Hearing Documents in accordance with Section 89 of the Act and as a result, I dismiss the tenants' application with leave to reapply.

Conclusion

The tenants' application is dismissed 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 01, 2016

Residential Tenancy Branch